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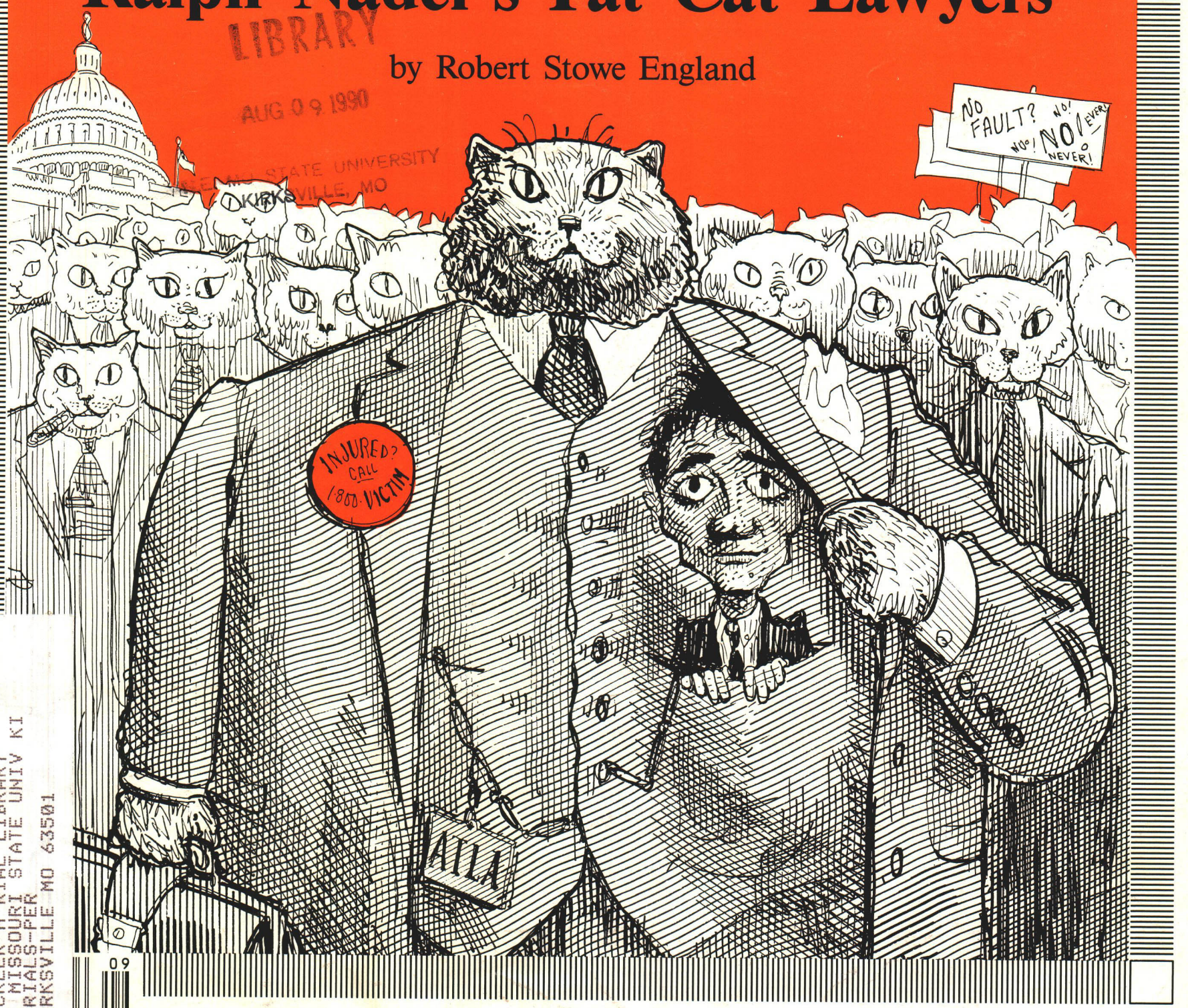

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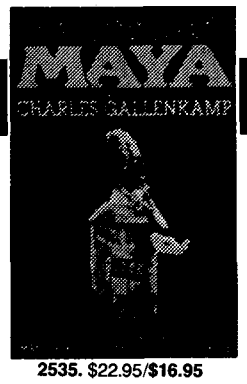

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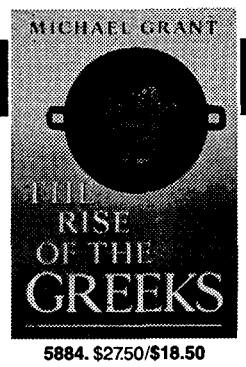

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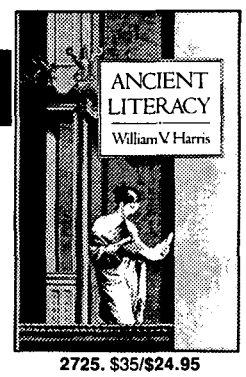

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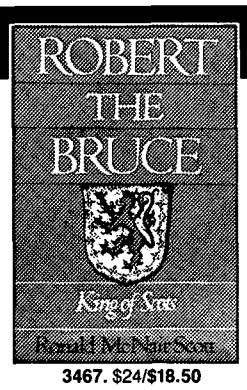

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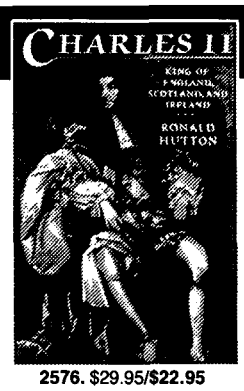

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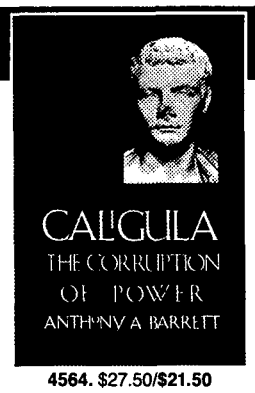

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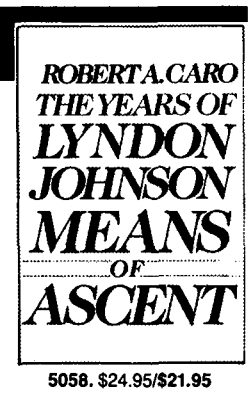

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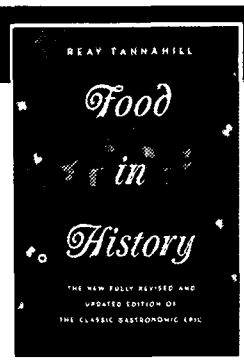

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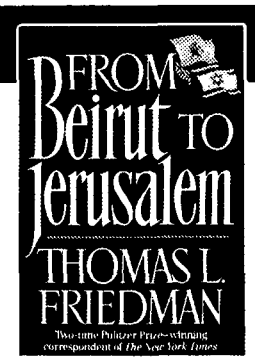

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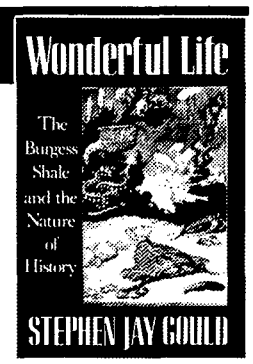

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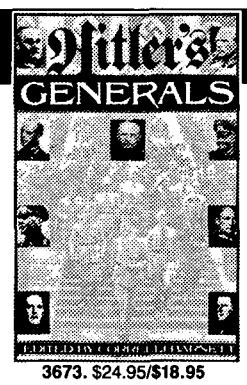

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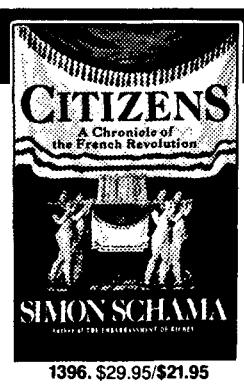

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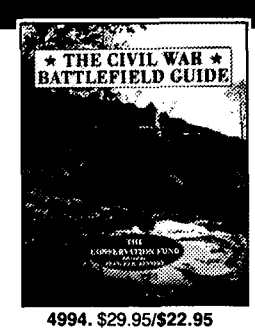

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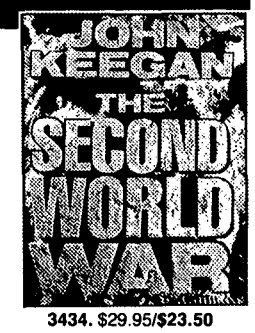

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You deserve a factual look at ...

Israel, the Arabs, & Human Rights (1)

We Americans are much concerned with human rights. Of late, much of this concern has been focused on the Middle East. Remarkably, however, virtually all of that concern seems to be directed towards Israel, and hardly any of it to the Arab states in bitter and perpetual conflict with Israel. Is Israel's human rights record really that bad? Is that of the Arabs really that good?

What are the facts?

■ The Western world compares Israel to the Western democracies and applies to Israel Western standards of behavior, especially in the area of human rights. Israel is, of course, a democracy, in which the liberties that we take for granted are equally available to all citizens—Jews and Arabs alike. Among the Arab countries, not a single one adheres to even minimal standards of human rights. While to us in the United States, the human rights performance of other countries is mostly a matter of abstraction, it is a daily reality for Israel. They have to live with it. Israel expects to and is expected to adhere to high principles. But the enemies surrounding it, virtually all of them (with the notable exception of Egypt) having Israel's destruction close to the top of their agendas, do not play "by the rules".

■ For instance, Israel is bitterly denounced and condemned for having deported a handful of Palestinians, who were convicted of crimes against public order. Compare that with the routine expulsion of people from the Arab nations. The Palestinians, who are residents of most countries of the Middle East, are particularly vulnerable to expulsion, for the most insignificant offenses, or simply because their presence is not deemed to be in the best interest of the host. Tiny Kuwait, for instance, deported over 27,000 (!) people in 1986, many Palestinians among them. In February of 1988, Kuwait expelled many more, in order to quell demonstrations supporting Palestinian rioters in the territories administered by Israel.

■ Much is made of the loss of life in Israel and in the administered territories since the beginning of the so-called "intifada". But, in view of how long this has been going on and considering the violence and the hatred on the part of the Arabs, it is remarkable how few people have died. The relatively small number of casualties is testimonial to the restraint of the Israeli military and the Israeli government. Who can doubt that the "intifada" could have been suppressed in a few days, had Israel followed the cruel norms of the area in which it is located. Some Arab states conduct wholesale massacres of political opponents as state policy. In 1982, for instance, Syrian president Hafez Assad ordered the killing of over 20,000 civilians in the city of Hama. Iraq routinely executes so many people for bizarre "offenses" (such as insulting the president) that Amnesty International has given up counting them. Iraq has also recently reached a new low in human rights abuse by killing more than 5,000 of its own Kurdish citizens by poison gas, because they were not thought to be politically reliable. The Democratic Republic of Yemen holds periodic mass executions. Even the so-called "moderates" among the Arab states know how to handle civil disobedience "efficiently". Saudi Arabia, where slaves are still being kept and where public amputations for small offenses are the norm, killed over 400 Muslim pilgrims in one bloody day in Mecca in 1987. Egyptian troops killed over 100 people during riots in 1986. In April of 1989, Algerian government troops opened fire in the city of Souk Ahras against Algerian citizens who were protesting food prices and corruption. The army didn't hesitate to machine-gun 350 people to death in less than an hour.

■ Much effort is expended in criticizing Israel's human rights record in its treatment of the Palestinians in the administered territories. In the climate of violence created by the intifada, during which hundreds of Palestinians have been killed by their fellow Arabs, the occasional act of violence by individual Israelis is perhaps to be expected. Every such violation is contrary to explicit laws and standing military orders and is investigated, prosecuted and punished. Compare that with the human rights violations and the ruthlessness of the Arab states against the Palestinians living in their midst. In 1970, during the "Black September" riots, Jordanian military killed 3,400 Palestinians in just 10 days. In 1976, the Syrian army killed over 23,000 Palestinians. In the three-year "war of the camps", the death toll of Palestinians reached over 3,000. At least that number of Palestinians is reported to languish in Syrian prisons.

Israel is a democratic country, with a freely elected government that is fully responsible to its citizens for its actions. It is the only such country in the entire Middle East. It shares with the Western democracies a fundamental commitment to human rights. Israeli society is totally open and accessible to the media of all countries. Individual human rights violations are promptly put under the microscope of public scrutiny. In contrast, virtually all Arab countries are ruled by self-appointed tyrants and are secretive and closed societies. Their massive and brutal human rights abuses go largely unreported. Journalists and T.V. reporters are allowed in these countries by invitation only. When there, they'd better know what to report and how to report it if they don't wish to be killed, kidnapped, or officially "tried" and executed, as recently happened in Iraq.

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Ferdinand and Imelda may be long gone, but the Philippines remains the welfare queen of Asia, hooked on policies that brought the country to ruin in the first place.

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With allies like erstwhile consumer advocate Ralph Nader and leading congressional Democrats, trial lawyers have emerged as America's fattest cats, waging war on producer and consumer alike and exerting veto power over all attempts at product-liability and no-fault tort reform.

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in order to look up the historical background on the nationalities crisis that is sure to be reported in tomorrow's newspaper."
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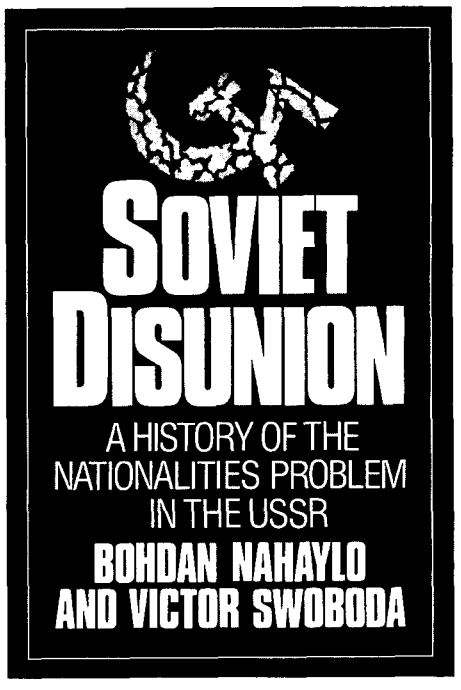

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THE CONTINUING CRISIS

• With world leaders jetting to and fro with much ado, July turned out to be the busiest summer month in memory. President Bush alone traveled to Kennebunkport, London, Houston, Yorba Linda, Boise, Billings, Cheyenne, Newport News, Camp David, New York, and Philadelphia, leaving those of us dutifully stranded inside the Beltway concerned there might be something to the notion that history can no longer be made in Washington, D.C. To drive the point home, German Chancellor Helmut Kohl and Soviet President Mikhail Gorbachev chose a place hitherto unnoted by white male historians, Zheleznovodsk, Russia, to sign the historic agreement allowing a reunified Germany to remain in NATO in return for major German contributions to Mr. Gorbachev's campaign coffers. As Americans lost track of their President, his job approval rating fell in the Gallup Poll to 63 percent, the lowest since May 1989. But Mr. Gorbachev fared rather worse, particularly after taking Kaiser Kohl to his old stomping grounds in Stavropol and—according to *Komsomolskaya Pravda*—making no effort to visit his 79-year-old mother in nearby Privolnoye. How the tenor of Soviet life has become uglier under Gorbachev. Whereas under Khrushchev, as epitomized in the movie about World War II *The Ballad of a Soldier* (*Ballada o Soldate*), a Soviet male would fight Germans to the death and spend what leave time he received on a desperate journey to visit his mother working the fields back in the home village, the new Soviet male hobnobs with fat Germans in the Caucasus and forgets where he came from while his aging mother complains to the press that her son never calls.

• President Vaclav Havel of Czechoslovakia had his ups and downs as well. A major Washington weekly made him the subject of an adoring cover story, and during the Public Broadcasting Service's live broadcast of a Fourth of July concert from the Capitol, he was invited to deliver greetings to the American people, the only foreign head of state to appear on PBS that night. But then a strange thing happened, when in Prague Mr. Havel told a group of disbelieving American newspaper editors that he supports the jailing of journalists who publish state secrets. Worse still, a week later Mr. Havel was making plans to meet with renegade President Kurt Waldheim of Austria, while in Banovce nad Bebravou, Czechoslovakia, a plaque was unveiled at a former teachers' college in honor of its founder, the Rev. Jozef Tiso, better known as the head of the Nazi puppet state of Slovakia during World War II. In a scene straight out of a Havel play, plaque organizers acknowledged that although Tiso's role in the deportation of Slovak Jews to Nazi death camps was "unforgivable," they thought it good to commemorate his contribution to the training of teachers.

• Some of those teachers could still be plying their trade at Stanford University, where President Donald Kennedy has approved a policy designed to protect certain students from the "fighting words" of other students by outlawing all forms of "discriminatory harassment"—that is, "speech or other expression . . . intended to insult or stigmatize an individual or a small number of individuals on the basis of [his, her, or] their sex, race, color, handicap, religion, sexual orientation [or position] or national and ethnic origin." Whereupon the university set out to stigmatize an individual on its own by letting on that Miss Lupe Vasquez, 18, of Oxnard, California, is the first homeless person to attend Stanford. The University of Minnesota has banned its dance line of sixteen women from men's athletic events, a decision the dancers greeted with "shock, anger, and sadness," perhaps because they will now be required to perform at women's athletic events instead. In New Jersey, the state supreme court has ordered the two remaining men-only eating clubs at Princeton University to admit women, which is fine, but won't resolve who'll do the cooking and the dishes.

• About the only other good news for women this July was that the summer heat may reduce male fertility, according to researchers at North Carolina's Chemical Industry Institute of Toxicology. Otherwise, the news was uniformly unpleasant. The Pentagon, in an effort to reverse the feminization of the U.S. military, has tightened rules on cosmetic surgery undertaken for "personal nontherapeutic reasons." Justice William J. Brennan, Jr., chief abortionist of the United States, has resigned. The Indiana Board of Barber Examiners has still not acted on a female barber's request for permission to open a topless hair-cuttery in downtown Indianapolis. But it was at the National Gay and Lesbian Bodybuilding Championship in San Francisco that the male hegemony proved toughest to crack. One highlight was the "posing routine" of 1982's Mr. Olympia, 50-year-old Mr. Chris Dickerson, whose "amazing shape" was enough to convince the critic Mr. Mick LaSalle that "hours of pain went into every muscle." The female contestants, by contrast, had a harder time making an impression. Not only was the turnout for their events small, reports Mr. LaSalle, but the main reason for watching the older women was to see "which ones can beat the odds and maintain any kind of structural dignity in the upper thigh region."

• In religious news, the *Jewish Press* reported on July 6 that a high rabbinic court in New York City has excommunicated Rep. Barney Frank (D-Mass.) for "desecrating the Name of G-d and the Jewish People, for bringing dishonor and disgrace upon the high office of Congressman, and for promoting and encouraging the moral corruption of society." Not a body to be outdone, the House ethics committee found Rep. Frank guilty of fixing parking tickets for Mr. Stephen L. Gobie, his former housekeeper and driver. In a move that could mark the beginning of a Protestant Counterreformation, a Lutheran bishop in San Francisco announced that he will back the ordination of gay ministers provided they remain celibate. The worry is that they will wind up like the Rev. Glynn "Scotty" Wolfe, 81, of Blythe, California, who is getting married and divorced again, though not necessarily in that order. If all goes according to plan, it will be the monogamous Rev. Scotty's twenty-eighth marriage.

• In entertainment news, police in Cheverly, Maryland, confiscated 191 video tapes and some town-owned equipment from the studio of a local Francis Ford Coppola, who by night films the activities of neighbors in their bathrooms, allegedly with cameras that by day record the proceedings at Cheverly's town meetings. "Most of it is pretty repetitive," according to Police Sergeant E. W. Day, who seems ignorant of the tapes' artistic potential. He certainly hasn't read the open letter sent to Mr. Jack Valenti, president of the Motion Picture Association of America, by a score of Hollywood film-makers protesting the X rating given to Mr. Wayne Wang's new film, *Life Is Cheap . . . but Toilet Paper Is Expensive*. In Oregon, the environmentalists' fifth annual Concert in the Forest may not be held this summer in the Willamette National Forest, so as not to disturb a breeding pair of spotted owls recently observed within 1,500 feet of the concert site. Nucla, Colorado—not to be confused with Jimmy Carter's pronunciation of the dread word *nuclear*—played host to this year's Top Dog World Championship Prairie Dog Shoot. And in Reno, Nevada, CBS Records and the British rock group Judas Priest are being sued in the suicide-pact deaths several years ago of two young men said to have obeyed a subliminal signal in a Priest album to "do it, do it." The plaintiffs' case rests on the not unreasonable assumption that this was the first time the young men had ever taken orders from anyone.

• As the Cold War passes from mem-

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ory, U.S-Soviet relations are getting awfully cozy. For instance, when NASA suspended two veteran astronauts, Space Shuttle commanders Robert "Hoot" Gibson and David Walker, for flight safety violations worthy of the late Yuri Gagarin, Soviet cosmonauts Anatoly Solovyev and Aleksandr Balandin in instinctive solidarity locked themselves out of their *Mir* space station. It's not known if we'll hear from them again. In Sofia, Bulgaria, the embalmed body of Mr. Georgi Dimitrov, the founder of Communist Bulgaria, was secretly removed from its mausoleum and cremated beyond recognition. This has left Mr. Roberto Napoleone the most tragic Italian figure since Il Pagliaccio. Mr. Napoleone is the Communist editor who had gone to Moscow in search of supporters for his international Save the Lenin Monuments Fund, having called the recent scrapping of a Lenin statue in Krakow, Poland, "a sacrilege." Finally, *The American Spectator* is celebrating the purported end of the Cold War by moving its offices to a hill overlooking Washington, a site well within shelling distance of the new Soviet embassy, major media centers, and Capitol Hill. Let the real wars begin! —*WP*

CORRESPONDENCE

Squish Twists

Readers might have wondered about an incongruity between the text and the accompanying numbers in our "Squish List Republicans" (*TAS*, July 1990). Rep. Vin Weber was credited with exceeding the party mean while in a leadership post, whereas his five-year score of 63 was below others mentioned less favorably and in fact below the GOP House average of 64 on our free-market scale. Explanation: in 1989, after joining the leadership, Mr. Weber scored a very respectable 75. In earlier years, particularly when casting farm bill votes, his performance was less laudable.

—Tim W. Ferguson
Tom Miller

Tim W. Ferguson and Tom Miller in "Squish List Republicans" are too quick to condemn Republicans for voting to override "Reagan's veto of a highway pork bill." That particular bill also contained repeal of the 55 MPH speed limit, perhaps the decade's single most intrusive, obnoxious, and low-return social engineering project. Many libertarian conservatives felt that permanent repeal of the 55 MPH limit was well worth a marginal one-year extra serving of pork.

—Hugo S. Cunningham
Boston, Massachusetts

Terzian's Triumph

"Driven" is not too melodramatic a word to describe my response to Col. B. P. Regan's letter in your July issue. His characterization of Philip Terzian's note about Henry Fairlie—"vile and bottomlessly malicious literary assault . . . despicable . . . defamed . . . repulsive and indefensible moral cowardice . . . incessant and unrestrained viciousness . . . pathological in its mercilessness . . . odious and indeed ghoulish . . . deeply insulting . . . nihilism . . . dishonorable . . . black heart . . . journalistic barbarism"—left me driven to read whatever had educed such passion.

I'm sorry that the press of other matters had kept me from reading the last half of your May issue. For Mr. Terzian's tribute to Mr. Fairlie is every bit as remarkable as Col. Regan proclaims. My reaction to it, however, was just the opposite of his. I'm sure that only a good-hearted man could write what Col. Regan did, and of course I'm sad that he was so wounded by Terzian's words. But Col. Regan has missed the point of what the public conversation of this nation should be about. Mr. Terzian has performed a proper public service with insight and style.

What word would I use to describe Mr. Terzian's tone? It is not supercilious or malicious except to convey something important about Mr. Fairlie.

I would choose the word "grieving," and I find grief to be appropriately expressed in the face of such a death. Mr. Terzian was humane and generous. At the end he offered Henry Fairlie a great gift, a personal and sparkling expression of an insight into the man and his work.

I read Mr. Terzian's words about Henry Fairlie as grieving for his wasted life, grieving for the self-degradation and self-betrayal so flamboyantly, so regularly, and so depressingly displayed by him. His character was involved in the public life and issues of our world. That character is related intimately to his public posture and cannot be separated from it. The concluding paragraphs, showing Mr. Fairlie's judgment on Malcolm Muggeridge, say it all. It is sad Mr. Fairlie did not know that in rejecting, condemning, and dismissing Muggeridge, he was speaking about himself.

Who would not weep for a person like Henry Fairlie? He was most annoying in his assumed superiority, sometimes marked in Brits. . . . But what a tremendous benefactor of America Henry Fairlie might have been if he had allowed himself to drink from the water from which Mr. Muggeridge has drunk.

One of the greatest weapons in the hands of those who would be great in this world is their wielding of superiority—real or assumed—as an instrument of power. They flaunt being better than others, better in their knowledge, their morality, etc. It's the old gnostic shell game. *The American Spectator* serves an important role in regularly deflating those dangerous pretensions by the best counteroffensive possible: laughing at their absurdity. They are dangerous to the common weal in that they have so often been taken seriously, and dangerous to those who affect them as well.

Mr. Terzian's masterpiece gives Henry Fairlie a fond farewell.

—Fr. Edward Raffetto
Saint Thomas's Parish
Upper Marlboro, Maryland

Benin on the Potomac

The article by Jean-Paul Côtier "Benin Growth" in your May 1990 issue was interesting to me in several respects.

In the first instance, the Benin embassy, a large detached residence on Cathedral Avenue in Northwest Washington, D.C., is only a block from my apartment. The members of the People's Revolutionary party in residence there recently butted heads with the neighborhood by attempting to erect a huge microwave tower on their property so they could apparently receive their momentous dispatches directly. Those same members have also become acclimated to Washington's terrible summer weather; they have at least seven window air conditioners installed in their house.

Perhaps more importantly, I realized how comfortable the citizens of the People's Republic of Benin must feel in the Emerging People's Republic of the District of Columbia. When I first moved to D.C. in the 1960s, it was also a sleepy but happy country, under the tutelage of the United States government. In approximately 1975 another government was given power, giving rise to a powerful leader whose top people apparently have worked to line their pockets with city money through contracting improprieties and other corrupt practices. Here also, there are *histoires des femmes* cropping up constantly in allegations and stories about the top man in our government. Meanwhile, the economy of the Emerging People's Republic of the District of Columbia continues to fade, and in the face of the unwieldy bureaucracy, the incompetence, and hints of corruption, the government is continually forced to curtail services, raise taxes, raise property assessments, and cajole the United States for more money, or threaten to withhold federal income taxes. Perhaps the major difference is that by degrees the People's Republic of Benin has begun to turn away from the ideals of socialism.

What a country!

—C. K. Tyler
Washington, D.C.

Bull's Eye

You hit the target with "Zealots Against Science" in the July *American Spectator.* I've been skeptical for a long time about EPA's claim that second-hand smoke is a threat to the Republic, motherhood, and all God-fearing citizens.

Earlier this morning, I telephoned Philip Morris on their 800 hotline and apprised them of your article. The young woman who took my call hadn't heard of it (she hadn't heard of George Jean Nathan or H. L. Mencken either, alas), but she seemed grateful for the information.

Perhaps you'll hear from them.

—Martin E. Mullen, Jr.
South Pasadena, California

. . . I am a doctoral student in (hold on to your hat) Environmental Science and Engineering at UCLA, but I am *not* an environmentalist. My program leads to a professional degree, suitable for framing, that certifies us as capable

(continued on page 40)

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EDITORIALS

TAXING TIMES

by R. Emmett Tyrrell, Jr.

A very unusual ceremony is now underway in this great city. It is a solemn confabulation, bipartisan in nature, to terminate the 1980s and all the shocking economic growth that went with it. In the 1980s under the policy of lowered marginal tax rates more wealth was amassed than at any time in the Republic's history. Everyone should have been happy, the Republicans because the private sector prospered, the Democrats because tax revenue rose as did monies available for the poor.

However, Capitol Hill Democrats were not happy at all. Sure, there was plenty of federal money available for their government policies, but they were forcibly restrained by the deficits of the 1980s from excogitating new services. One would have thought that once the Great Society of the 1960s conferred on America a welfare state, government growth might have gone into remission. But, no, for twenty-five years the epigones of LBJ have been dreaming ever more expensive governmental intrusions into private life for their credulous constituents, who apparently still think they are being visited by the fairy godmother when their smiling congressman hands them a subsidy after picking their pockets with higher taxes.

Adapted from RET's weekly Washington Post *column syndicated by King Features.*

Ronald Reagan arrested this process of government expansion or at least he slowed its growth throughout the 1980s. But the economic growth of the 1980s has now slowed. Federal revenues, which were supposed to grow 8.4 percent, are growing at less than five percent. Federal spending, which was supposed to grow at only 4.8 percent, is up 7.4 percent. Hence, for the first time in recent years the federal deficit as a percentage of GNP is growing rather than diminishing. It could run as high as $188 billion, and so rather than allow the Gramm-Rudman Law to make across-the-board cuts in the budget, the President is considering raising taxes.

The President is a gentleman. He is also a reasonable man. Reasonable gentlemen always are in danger of believing that others are reasonable gentlemen too. And so even though the economy's slowdown suggests that a tax increase will slow it further, George Herbert Walker Bush is contemplating raising taxes and reverting to the economic dizziness of the 1970s. He has been told by the Democrats that if he accedes to a tax increase they will give him budget cuts. Thus, arm in arm, Republicans and Democrats will cut the deficit.

But the lesson of the 1980s is that the only way to cut the deficit is to encourage economic growth. Economic growth leads to higher revenues and to the reduction of the deficit as a percentage of GNP. Moreover, the record of the past twenty-five years is that as federal taxes rise so does the deficit, because a tax increase merely gives the Congress more money to throw around. Warren Brookes, the indefatigable economics columnist for the *Detroit News*, cites a broad spectrum of studies since World War II which demonstrate that "every dollar of legislated higher taxes has been matched by from $1.28 to $1.58 in higher spending." Democrats have promised a Republican President budget cuts in return for a tax increase before and failed to cut the budget. They made such a promise back in 1982, and after President Reagan went along with a tax increase the Democrats went out and spent the loot. The record suggests they will repeat their prodigality this time.

The problem facing President Bush is that he is up against a party dominated by people who have no sense of economic restraint. The Democrats are the party of the public sector. They believe that government creates growth and most of society's other benignancies. They believe that no decent undertaking is beyond government's competence. Endeavors that Franklin D. Roosevelt would have rightly deemed impossible sixty years ago are now on Democratic drawing boards, and if President Bush raises taxes the Democrats will gladly transform their next set of plans into policies. How about a fleet of mobile homes cruising urban streets to provide shelter for those in need? That would surely be the decent thing to do, and it would help the mobile home industry too. You laugh, but that is how the big government congressman thinks. □

FREAK SHOWS

America loves its freak shows. P. T. Barnum recognized this and provided them in abundance. The impresario of every gimcrack county fair also recognized the American lust for the lurid and pocketed handsome emoluments by providing fat people who would tear the heads off chickens and skinny people swallowing vast numbers of kitchen appliances—that sort of thing. The county fairs' freak shows are not so popular nowadays, for Americans can experience the same wild thrills by watching prime-time television. But have those Americans who lust for the lurid considered the even wilder thrills now available to them at New York State Supreme Court in Manhattan and at D.C. Circuit Court in our nation's capital?

In those august places where the business of justice is supposed to be carried out, freak shows are being set up regularly. I wish I could report that the freaks are merely there to entertain—though in a democratic society courts are not supposed to be entertainment centers. Instead, the freaks are at work to intimidate jurors and the general public. That they can degrade our judicial system with impunity does not augur well for the health of our society. The freaks are also at work to promote the careers of such snake oil salesmen as Mr. Louis Farrakhan and the Rev. Al Sharpton.

In Washington the freaks have been attracted to the drug trial of Mayor Marion Barry, and in Manhattan they have flocked to the trial of a rape victim known to the press as "the Central Park jogger." These trials involve matters of the utmost seriousness, whether a high public official is corrupt, the culpability of animals who fell on an innocent young woman, raped her repeatedly, and beat her so savagely that she came within an inch of death. She will be suffering from her ordeal probably for the remainder of her life. This is supposed to be a society sworn against drugs and violence. These trials are at the heart of our commitment against both. Who would want to make a mockery of either, and how could they get away with it?

People who play the media for all they can get from it is the answer. Far-

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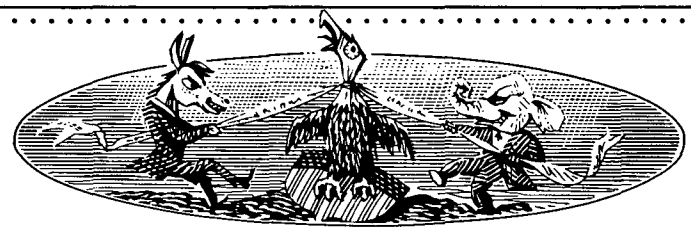
rakhan recently stepped out on the courthouse steps during a lunch break from the Barry case and denounced the prosecution as racially motivated, though he offered no evidence. The Rev. Sharpton's claque specializes in even more outlandish behavior. They assault defense lawyers and now chase the government prosecutor in the Central Park jogger's case out of the courtroom, issuing threats, slandering the young woman, and endeavoring to bait the press into publicizing her name. This last detail suggests just how deranged these people are. No conceivable purpose is served by publicizing the name of this rape victim other than abusing the conventions of society and her personal request for privacy.

This behavior is an abomination. It belongs in those settings where the taste for the macabre is served not where criminal justice is dispensed. But the freaks are where they are because they recognize that the judiciary is filled with judges who are easily manipulated and because the polite sensibility that pervades editorial offices will not speak out. One cannot blame reporters for reporting the news—assuming they follow some semblance of civilized standards, but one can reproach the commentators' disinterest in these courthouse barbarities. As I write only the *New York Post* has denounced the freaks at the courthouse.

And what about the judges who preside over these cases? Surely they can bar press conferences on the courthouse steps. In New York a contempt order can be issued against those who harass prosecutors en route to and from the court. In a criminal case some months ago the same group assaulted a defense attorney. Is there really nothing that can be done about this unruly behavior? How was it stopped in the South when white racists harassed civil rights lawyers and generally disrupted the judicial system? There is a tremendous irony here. In the South where racism was actually practiced the sort of hooliganism now seen at courthouses in New York and Washington would never be impotently endured. In these two northern municipalities, two of the most Liberal in the country, racism thrives. How does one explain it? □

CAPITOL IDEAS



MITCH SNYDER'S SENDOFF

by Tom Bethell

For the "Farewell Celebration of Our Beloved Brother," Mitch Snyder, 1943-1990, outside the Community for Creative Non-Violence homeless shelter, a program had been tastefully printed. On the front page was a picture of Mitch gazing affectionately at a homeless person. Inside there was an Order of Service. First was "Officiant: Rev. Jesse L. Jackson," following whom "Bishop" George A. Stallings would give the invocation. Then there would be "Words from the Heart" from Martin Sheen, an actor from Malibu; more words from Cher, a well-known actress and pop singer; and still more words from the Honorable Marion Barry, Jr., mayor of the city and at large for the occasion, during a recess in his own trial. The Federal Courthouse was only a short limo ride away for Barry, on trial for drug conspiracy and perjury charges.

There would be more words from Phillip Berrigan, apostate Jesuit and all-purpose protestor, who had jetted into town from the Whiteman Air Force Base in Missouri. In the federal penitentiary at Danbury in the 1970s, Rev. Berrigan had taught Mitch (convicted of auto theft) the overriding pleasure of civil disobedience—it gave you a "sense of power." Berrigan had been protesting once more in Missouri, camped out on a farmer's field and listening to a 1.2 megaton ICBM "humming and growling in its circuits, as though requesting release from its unimaginable mission," when he heard the sad news about Mitch. More words from another protestor, Dick Gregory; and several others on the program would have words to say, but they are not famous enough to mention.

Carol Fennelly, nearly the wife and now in the widow's role, looked fetching in aviator shades and a black two-piece suit, fashionably loose-fitting and padded at the shoulders. She was bearing up, hugging and clasping hands. In a word, coping. Snyder had left a suicide note "that focused on his failed romance with Fennelly," according to the *Washington Post*. The note has not been published. Fennelly would only say: "It was a private struggle that I will never speak of." Before hanging himself, Snyder locked the outside door to his bedroom at the homeless shelter, then unlocked the inside door to Carol Fennelly's adjoining bedroom. He "had planned for her to find him dangling at the end of an electrical cord," according to *Washington Post* columnist Courtland Milloy.

On the back page of the program there was an announcement from "the entire CCNV family," thanking a number of individuals and organizations, including Ridgewell's Caterer (they do a lot of fashionable catering in the city), B&B Washington's Caterer, Lee's Flower and Card Shop, Inc., and Calvin W. Rolark of the United Black Fund, who provided the carnations; Dodge Color, Inc.; Rev. Deborah McGill-Jackson; the Mayor's Office of Emergency Preparedness and various other notables of the Black Power Structure within the nation's capital.

Outside the main shelter entrance, a big space had been cordoned off with yellow plastic tape, and made into a perfect little street theater with rows of plastic folding chairs. Behind the chairs the big guns were arrayed—fifteen camera tripods, carrying a tremendous amount of film and firepower, with nearby ammo dumps of ancillary hardware and backup equipment. Center stage was the podium with its microphone forest. Toiling in the trenches were the stagehands and the workhorses of the media hierarchy, unionized and gadget laden; layers of cable and providers of battery power, wearing T-shirts and load-bearing belts; but they were too busy with heavy-duty insulating tape to pay attention to substance, or to get the message. Theirs was not to reason why, but to do what they were told. Then there were the network correspondents, hoping to insert themselves in explanatory roles into precious evening news slots—on camera, of course, but with a nice backdrop of stars and beggars. They came with clipboard-bearing attendants and coffee-fetchers connected by cordless telephone to the producers at HQ. And stars in their own right, don't forget (on location this morning, doing their bit to make this a more caring and humane society . . .).

Authorized shelter dwellers had been provided with passes so that they could come and go as they saw fit, just as though nothing was happening (this was all being done for their benefit, remember). Occasionally a disheveled one would come through, proudly flourishing his pass: Stand back Cher, make way there Martin Sheen, down on your knees Phillip Berrigan! Make way for this authentic, card-carrying homeless person, certified as such by the late Mitch Snyder himself. Struggling in real life with the horrors of our all-American existence, not just standing there waiting to go on stage, feeling guilty and inauthentic deep down inside. This was to be Mitch's hour, and Mitch would expect nothing less of those gathered in his honor. A couple of days earlier, Chuck Conconi had eulogized him in the *Washington Post* as having "a way of making you feel ashamed of yourself." The ultimate Washington compliment!

Occasionally a star or two would peep out from behind the wings, just to check out the crowd gathering in Tax Court Plaza. Tax Court! Mitch was one person not worried about *that*. "The Internal Revenue Service was demanding $90,251 in payments from advocate of the homeless Mitch Snyder at the time of his death," the *Washington Post* reported. Snyder "loved it," Carol Fennelly said of the IRS investigation. "He wanted a forum to discuss the priorities of the government and our tax system." As the *Post* reporter paraphrased his interview with Fennelly, Snyder "planned to turn this challenge into yet another

Tom Bethell is The American Spectator*'s Washington correspondent.*

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public tirade about national priorities."

"Tirade," the man said. Some of these print people have been behaving like hostages, ideological prisoners held against their will, but contriving to include little signals in the semi-official texts of their stories. (Help! We can't stand this much longer! This Snyder was a no-good bum, getting a lot of free publicity for himself. We have to praise him because he used our rhetoric; blamed society as a whole for the failure of individuals to take responsibility for their lives; but we can't *say* that, you understand . . .)

In front of the shelter, a crowd of a couple of thousand had gathered—more "curious bystanders on their lunch break," I should have thought, than the "mourners" of the *New York Times*'s account. The cameras were rolling and the performance began. The Imani Temple choir was singing "We're climbing up the rough side of the mountain," Carol Fennelly was cheerfully clapping in time (relieved to be rid of the Accuser, one wondered?), Jesse Jackson was making last-minute notes; and Bishop Stallings of Imani Temple, wearing the purple robes of a cardinal, was embracing Mayor Barry with that ole clerical hug. Barry had a yellow carnation in his button hole and from time to time he mopped his brow. It was hot under the noonday sun.

What a sketch this Stallings is. A year ago he broke away from the Roman Catholic Church, taking half the congregation into his Imani Temple (see my column on him in the September 1989 *TAS*). A few months later the *Washington Post* alleged that Stallings had engaged in sexual encounters with at least one altar boy. But this appeared to have no impact—his breakaway congregation wasn't buying it. Then, in late April, the *Post* loaded up its big guns and fired a tremendous three-part broadside at the Reverend, including shocking details about homosexual misconduct in the rectory, Stallings's presence in gay bars a few hours before showing up in the pulpit, and so on. (The series also showed the church hierarchy as timidly reluctant to discipline Stallings, no doubt fearful of being accused of racism.)

The charges were neither denied nor addressed by Stallings, who refused to be interviewed by the *Post*. When the smoke from this broadside cleared, what had become of the Reverend? He had become Bishop Stallings! (And today is so identified by the *Post*.) Now he was dressed as a cardinal outside the homeless shelter, in mutual embrace with the mayor of the city, himself on trial in federal court. (All this should be disconcerting to the *Post*, as I suspect it is. Their ammunition, so effective against white politicians, seems to be harmless against blacks. This does not augur well for the future of the city because, at the moment, the 70 percent black population is almost out of control. Their leadership is armed against each and every charge of corruption by the potential retort of racism, so crippling to most white Americans with a college degree.)

Jesse Jackson, to center stage: "We come to celebrate a life of service, a brother who has made all of us different, who has made all of us better; who has challenged America to clothe the naked . . . and did so with grace and style and courage and determination. This is Mitch Snyder Day! Let us hear a great round of applause!" He whipped up the crowd: "Mitch! Mitch! Mitch!" Jesse praised Snyder as an "anonymous suffering servant," which would have surprised the much televised Conscience-Stirrer.

Cardinal Stallings said that Mitch "embodied in his everyday existence what it means to be Emanuel, God with us," noting that he "gave his life for the many." Dick Gregory was probably closer to the truth when he said, to Carol Fennelly: "Damn that note. Damn that note. Don't let him blame that on you. . . . We men get out here

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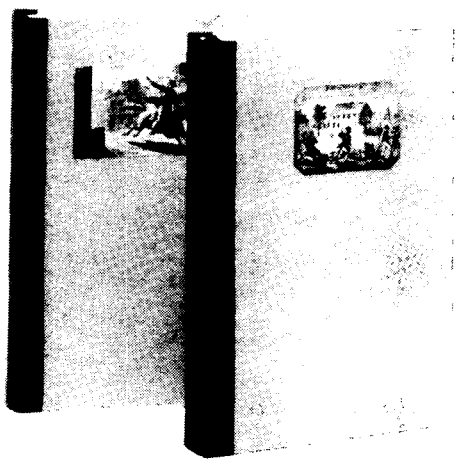

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and we get caught up in this struggle . . . and we get so weak sometimes we look for people to blame it on."

"Members of the City Council, please stand," said M.C. Jesse. So that's who they were—parked onstage but not in the front row. That was reserved for Jesse, Barry, and the Cardinal. Rep. Joe Kennedy showed up, late, and he was given a front row seat, too. But not many other whites would have been considered worthy of the honor. Carol Fennelly led the ensemble in a sixties protest song, then said that Mitch had "been at death's door so many times that we had many opportunities to plan this event." She told the *New York Times* reporter later that "he had requested most of the speakers who attended" the event. Carol next introduced Martin Sheen, with a note of awe, as the one "who played Mitch in the CBS movie *Samaritan*." Mitch, she remarked, "blamed Hollywood for what he was because he watched so many movies."

Martin Sheen seemed a little out of his league. He wanted to share with us a "wonderful" poem by Daniel Berrigan (but it turned out to be not so wonderful). Sheen inspired the reflection that, just possibly, the bandwagon of Protest is ridden by the mediocre.

Mayor Barry was on next, Carol first reminding us that "people in high places didn't want us here," that the property developers had wanted the building and were on the verge of getting it when Mitch went on his hunger strike. (She was right about that. The Black Power Structure resisted funding the shelter but now were horning in on the photo-op.) Barry mopped his brow one more time. "Let me thank Mitch Snyder for honoring me," he said, adding: "He reminds me of Nehemiah in these modern times." In the space of an hour, Mitch was also compared to: Malcolm X, Nelson Mandela, Jesus Christ, and Mother Teresa. "Mitch and I had our differences," said Barry. "But that's the way it's supposed to be. . . . " Two "homeless" bums with Busch beer cans came by making a tremendous racket; alas, they were steered away from the stage. " . . I'd rather concentrate on how he lived, not on how he died," the mayor was saying.

Cher said she would like to be more eloquent and was "very emotionally unstable over this." She recalled marching with Mitch. "We can't say love thy rich neighbor or love thy influential neighbor," she said, engaging in the kind of moral histrionics that Mitch would have approved of.

The point is that Mitch was a fashionable figure in Washington, albeit warily regarded by the city's establishment. But they were only too happy to indulge the conceit that he was an "outsider," and of course were unable to hold him in check when he went too far (showing up at social events in army fatigues and so on). That was all part of the frisson of social excitement that Mitch engendered. Basically his heart was in the right place—he blamed society for individual failure, thereby drawing attention to his own moral superiority. On top of that, he was only too happy to expand the power of the state.

Jesse Jackson was right to draw attention to Mitch's "style," and the *Washington Post*'s Style section did him proud, with two stories, one drawing attention to Mitch's "uneasy alliance" with the media. "He was on the Geraldo Rivera Show and many others. At one occasion, the guests included Valerie Harper, Eunice Shriver, Jack Valenti and members of Congress," noted the obit writer. "He met Jane Fonda."

The funeral procession made its way down Pennsylvania Avenue an hour later: a plain pine box in a horse-drawn hearse, a riderless white horse out front, symbolizing a fallen hero. Someone said it was the first time since Kennedy anyone had been so honored. Mitch had come a long way since his days with the Berrigan brothers at the Danbury penitentiary. □

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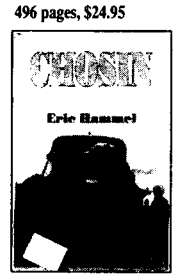
- ❑ 

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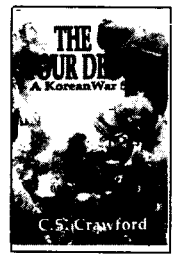
- ❑ 

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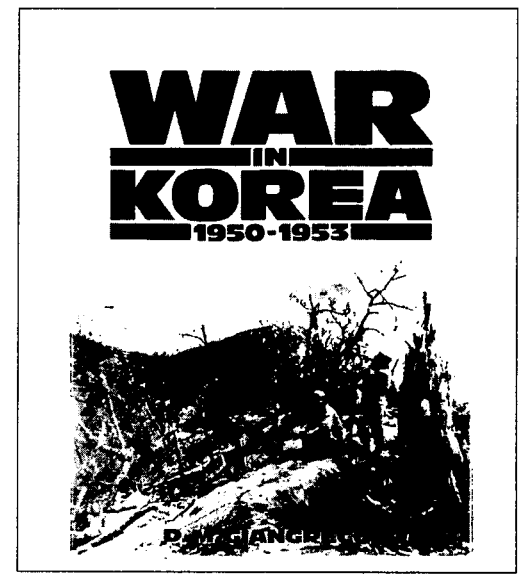

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George Szamuely

KEVIN PHILLIPS TURNS THE SCREWS ON CONSERVATIVES

How the resentful architect of the GOP's "Southern strategy" became resentful liberalism's house conservative.

In this year's eagerly promoted tract *The Politics of Rich and Poor*,[1] Kevin Phillips argues that despite George Bush's victory in 1988 the Republican political cycle has come to an end. Moreover, the agenda of the new decade is going to be "to correct the excesses of the 1980s" through what Phillips euphemistically calls "the downward redistribution of wealth." Those who made a buck during the Reagan years will be made to suffer through "higher taxes, additional economic regulation, a greater commitment to easing inequality and belief in the usefulness of central government."

Like all of Phillips's utterances of the last twenty years or so, these pronouncements have received many sage nods and concerned frowns. True, he had argued back in the 1970s that the political conflicts of the future would no longer be rooted in clashes of economic interests. It's also true that for years and years he had been predicting the disintegration of the two-party system, at times envisioning the emergence of a European-style Social Democratic party, at other times hinting at the possibility of a fascist regime. Phillips can pretty much get away with anything. Few people have studied his writings and examined his ideas and positions. The ubiquitous "conservative" label attached to his name enabled him to become a staple on network news and an unimpeachable critic of the Reagan and Bush administrations for newspaper stories.

But Phillips would not be listened to so earnestly had he not written *The Emerging Republican Majority*. Published in 1969, the book put forward a startling thesis: the liberal Democratic New Deal-cum-Great Society era had come to an end. Although just a few years earlier Lyndon Johnson had trounced Barry Goldwater on a scale surpassed only by FDR's defeat of Alf Landon, what was truly significant, according to Phillips, was the scarcely noticed electoral realignment it heralded. Traditional Republican voting blocs were becoming Democratic, and vice versa. The Democrats could count on the northeastern states as their stronghold; the blacks as their most solid base of support; and the metropolitan newspapers, the Supreme Court, the major law firms, and the Episcopal Church as their institutional foundations. The Republicans, on the other hand, could count on the South, the Border, the West, and the Heartland and blue-collar, ethnic voters. Phillips was one of the first to grasp that an enormous political change was taking place in America, and when talk of a "Southern strategy" or a "New American Majority" or the "Silent Majority" started circulating during the Nixon presidency, Phillips was widely believed to be the intellectual inspiration behind it. There was some basis to this belief, since he had worked for a time in the 1968 Nixon campaign and subsequently for Attorney General John Mitchell. But Nixon did not really need Phillips to tell him that the New Deal coalition was vulnerable. Back in his first congressional race in 1946, Nixon was already portraying himself as more in touch with the true spirit of the Democratic party than its current leadership.

When the Republicans in 1972, 1974, and 1976 failed to make the significant advances that Phillips had predicted, he turned bitterly on Nixon. He now said that Nixon had been too dull-witted to exploit widespread detestation of Great Society policies: income transfers from the working poor to the non-working poor, group rights advanced at the expense of individual rights, snobbish liberal intellectuals elevated to new heights. Nixon's men, Phillips wrote in *Mediacracy* (1975), "had little idea where their 1968 votes had come from and little idea what to do to hold and develop those electoral loyalties. . . . By campaigning with abrasive superficiality . . . while simultaneously eschewing basic social critiques (and indeed perpetuating many of the most egregious programs), the White House only demonstrated the shallowness of its domestic policy posture. Naturally enough, the electorate was not terribly impressed." This was certainly a bit hard on Nixon, who at least in his rhetoric challenged just about every fashionable 1960s nostrum and was nothing if not divisive as a politician. But it is typical of Phillips's perpetually carping tone.

Although he has continued to be described as a "Republican strategist," Phillips seemed to lose interest in the fate of the GOP early on. Nonetheless he has always retained his fascination with impending realignments or dealignments in American politics. Both major parties filled him with contempt. The Democrats had become the creature of minorities and the liberal intelligentsia. The Republicans were completely in the hands of businessmen and lawyers. As he put it sneeringly in *Mediacracy*, "Power has passed from the boardrooms of Manhattan and the clubrooms of Boston to the petroleum clubs of Texas and the defense-industry suburbs of California." There was no one around to represent the "less affluent" to whom had fallen the task, he once argued, "of conserving the 'old values.' "

Yet for every conservative movement that came on the scene Phillips had nothing but scorn. The neoconservatives? "Johnnies-come-lately to the ranks of those telling us just how the United States had gone wrong in the 1960s, in part because not a few of them had been involved in the policy mistakes made," he wrote in 1982 in his *Post-Conservative America*. The supply-siders? They had signed on to the liberal *Weltanschauung*. According to them, "the electorate had been motivated by straight pocketbook tax-cut sentiment, not by animosity toward liberal programs, sociology or bureaucracy. . . . In fact, they argued, deep cuts in the federal income tax could be made without jeopardizing federal social programs." Nor was the Old Right any better. *National Review* was "social respectability-questing" and had "clearly moved to the left." Phillips had friendly words about the New Right (at least no one could ac-

[1] *The Politics of Rich and Poor: Wealth and the American Electorate in the Reagan Aftermath*, by Kevin Phillips. Random House, $19.95.

George Szamuely writes regularly for Commentary, Insight, *the* National Interest, *and the* Wall Street Journal.

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cuse this movement of latent liberalism) but then went on to compare men like Paul Weyrich, Richard Viguerie, and Howard Phillips to the European conservative revolutionaries of the late nineteenth and early twentieth centuries who paved the way for Nazism.

As for Ronald Reagan, by 1982 Phillips was already disgusted with marginal-rate tax cuts that he claimed favored the Republican business elites. Phillips proposed as his ideal of tax cuts California's Proposition 13, which involved property tax cuts and hence affected largely lower-middle-class and middle-class households. Reagan's economic policies could only lead to the revival of some kind of corporatist-redistributionist politics (which, Phillips, to say the least, would not take amiss). Doubtless, if Reagan had succeeded in cutting the Social Security tax, Phillips would have bewailed the consequences for an America so recklessly squandering its future, or seen the cut as evidence of *petit bourgeois* resentment.

After a while, it became very confusing to follow Phillips's train of thought. In his columns in the *Los Angeles Times* and in his two extremely expensive newsletters, he juggled with one permutation after another. Sometimes the New Right would join forces with the Old Left; sometimes we were about to witness a liberal revival; sometimes we were in for a dose of fascism. What's more, it was far from clear which, if any, of the alarming political eventualities he was predicting he would approve of. The prospect of free-market economics being brought to an end (as he urged in his 1984 book *Staying on Top: The Business Case for a National Industrial Strategy*), or elites of various kinds (business, media, academic) getting their comeuppance—or the artsy crowd being made to stop indulging their pretentious nonsense—seemed to fill him with excited anticipation. The people who were enthusiastically greeting Phillips's assorted pronouncements never took the trouble to appreciate this distinctly authoritarian side of his thinking.

With *The Politics of Rich and Poor*, Phillips has discarded the few vestiges of Conservative Republicanism that clung to his work. It is interesting to note, however, that the only realignment to take place in recent years is Phillips's own metamorphosis into a mainstream Democrat. For his new book is an indictment of Reagan's economic policies of the type to be found at least every other week in the *New Republic*. To summarize a not unfamiliar argument very briefly:

During the Reagan years the cuts in marginal tax rates, the deregulation, and the high interest rates that arose as a result of the budget deficits had led to the rich getting a lot richer a lot faster than anyone else did. Phillips argues that average living standards hardly improved over eight years. In addition, the high value of the dollar during Reagan's first term (caused by a restrictive anti-inflationary monetary policy as well as by a need to attract foreigners to buy Treasury bonds) had devastated American industry and agriculture. But this was to prove not half as devastating as the fall of the dollar during Reagan's second term. Now foreigners, in particular the Japanese, could come here and buy up U.S. assets on the cheap. America had become a net debtor. Needless to say, the mergers and acquisitions explosion along with junk bonds make their appearance in the book—as do Michael Milken's estimated take-home pay, "golden parachutes," and the activities of Donald Trump.

In the 1970s, Phillips argued that the political conflicts of the future would no longer be rooted in clashes of economic interests.

It is doubtful that Phillips will add much to his reputation with this book, though we already know it has enhanced his popularity with his liberal admirers. First of all, there is a matter of style. To confirm his thesis of American and even worldwide disenchantment with money-making, he time and again cites as authorities men of the caliber of Mario Cuomo, Lester Thurow, and Robert Kuttner, or English left-wing playwrights. On page after page he offers proof that there are today a lot more billionaires, centimillionaires, and decamillionaires in the U.S. than there were when Ronald Reagan came to power. But then on page after page Americans are also made to feel ashamed because Japan has a lot more billionaires (and a lot richer billionaires, come to think of it) per capita than the U.S. does. And there are lots of meaningless statistics of the "x percent of the population owns y percent of the wealth" kind. Throughout the book Phillips adopts the tired socialist jargon of "distribution of wealth" and "redistribution of wealth," as if a nation's wealth was a fixed asset lying undergound rather than something being created daily.

Moreover, Phillips has the annoying habit of hedging his bets and whining at the same time. For instance, he admits that "consumers in general may have benefited from the spread of deregulation." But then, if you are not rich enough to travel by air what good is airline deregulation to you? True, there had been a "slight overall growth in median family income." But there was a greater inequality of incomes than before. On LBOs he admits that "small shareholders being bought out often did well." But what use is that if the "greatest benefit went to the middlemen—to the advisers, promoters, packagers, and refinancers"? Yes, it is true that the "percentage of total federal income tax payments made by the top one percent of taxpayers actually rose, climbing from 18.05 percent in 1981 [to] 26.1 percent in 1986." But then, since the rich were earning vastly more in 1986 than at the start of the decade, their relative tax burden had actually decreased. Okay, "American cities and states receiving large-scale direct foreign investment welcomed the infusion." Ah, but "relatively few *new* jobs" came about as a result. And so on and so on. Phillips juggles these contradictions as freely as he once used to put together paper coalitions of voting blocs.

Phillips's prophecy of the coming clash between the rich and poor, or between the rich few and everyone else, rests first on his bleak diagnosis of the U.S. economy and, second, on the change of style in this new decade. Phillips could be wrong in his diagnosis and yet turn out to be right in his prognosis. On the question of low-income families, Phillips, like others, makes crucial omissions. Statistics usually ignore the fact that such families are mostly headed by individuals under twenty-five or over sixty-five, and hence are often not working. And they ignore the fact that the numbers do not constitute the same people year in, year out. Among the poorest 20 percent of families in 1971, nearly half had worked their way out within seven years.

Nor are stories of American decline relative to the Japanese any more convincing. In 1989, the typical Japanese worker produced 72.7 percent as much as his American counterpart. The U.S. share of world industrial output grew from 36 percent in 1973 to 39 percent in 1986. This is even more impressive than it sounds, since most of the employment growth in recent years has been in the service sector, where it is far more difficult to achieve spectacular leaps in productivity. America's share of world industrial employment has been rising at the same rate as Japan's in recent years. So no deindustrialization is going on here.

On the question of foreign investment, Phillips's alarm has even less basis. Total foreign investment in the United States was estimated to be $1.7 trillion in 1989. This is only a small share of total U.S. physical assets, estimated at $35 trillion. American overseas assets, moreover, are estimated at $1.3 trillion. In addition, economists argue, most American overseas investments were made a long time ago and are carried on the books at their original value, unadjusted for inflation and market appreciation. Investments in the United States, however, have been more recent and are thus estimated at something closer to their real market value. Furthermore, around 85 percent of the $1.7 trillion in foreign investment in America consisted of passive holding of stocks and bonds, not controlling shares in businesses. In any event, the Japanese hold only 15 percent of all direct foreign investment in the U.S.

Incidentally, in his enthusiasm to elevate the prowess of the Japanese and to downgrade that of the Americans, Phillips scores a spectacular goal for the opposition: at one point, he triumphantly brings up the fact that by 1987 the total national assets of the Japanese were valued at $43.7 trillion, easily surpassing the comparable American figure which he claims to be $36.2 trillion. He does not mention that the U.S. GNP for that year was $4.4 trillion, almost three times greater than the Japanese figure of $1.6 trillion. But if the Japanese are in possession of capital assets of greater value than those of the Americans, what does it say about their capital productivity that their economy is only one-third the size of the U.S.? Perhaps the explanation for the Japanese enthusiasm to invest their money in the United States is staring Phillips in the face.

Nonetheless, Phillips still may be on to something when he predicts that a "soak the rich" program will be enacted. No matter how frequently and how convincingly one may refute arguments about American economic decline, or growing impoverishment at home, or that the rich somehow get richer at the expense of someone else, it is perception that counts. Taxation, regulation, inflation-fueled growth may soon be on the way, all under the auspices of the Bush Administration. Their consequence will be a widespread sense of diminished economic possibilities. At that point, an embittered class-based *dirigiste*-protectionist agenda may be in the cards. Doubtless, Phillips will look forward to this prospect with some relish. Today he can be happy that he has done his little bit to help bring that day closer. □

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William McGurn

CORAZON AQUINO'S POVERTY PIMPS

Ferdinand and Imelda may be long gone, but the Philippines remains the welfare queen of Asia, hooked on policies that brought the country to ruin in the first place.

Bataan, the Philippines

On the same peninsula where the Japanese forced American and Filipino prisoners of war through an infamous death march during World War II, the gray concrete dome of the Bataan Nuclear Power Plant looks out onto the South China Sea from its bluff high above the water. All along the perimeter of the sprawling grounds here at Morong Point, tropical brush creeps up the rusting chain-link security fence. Built by Westinghouse, the $2.4 billion plant was funded in part by almost $650 million in loans and guarantees from the U.S. Export-Import Bank, an agency of the U.S. government.

Original plans called for the Bataan plant to deliver 620 megawatts of power a year to a country now in the throes of a severe energy crunch. But today the plant is closed, never having produced a single watt of electricity. The incoming administration of Corazon Aquino mothballed it in 1986, in the wake of charges that the plant's contract had been awarded on the basis of kickbacks to former President Ferdinand Marcos. A government audit also complained about numerous safety flaws.

Westinghouse denies the charges of malfeasance, but while lawyers on two continents sort out who owes what to whom, interest charges are costing Filipino taxpayers more than $350,000 a day. In the meantime scavengers have carted away whatever wasn't nailed down here, making it improbable that it will ever be cost-effective to start the plant even if it's given the green light. Like a stripped-down automobile in the Bronx, the Bataan Nuclear Power Plant stands bleak and abandoned alongside the Bagat Highway, another expensive development failure.

"This project embodies the worst aspects of the Marcos regime," says Philippine Senator Rene Saguisag. "In one swoop it increased our debt from twenty to twenty-five percent, and the whole thing was done in secret."

It doesn't speak all that well for Cory, either. Leaving aside the decision to close the Bataan plant—many here believe the "safety violations" found had more to do with politics than engineering—the Aquino administration had no contingency plans to make up the shortfall in the energy supply the plant's shutdown would cause. The result has been almost daily brownouts in Manila, which in April even led to an experiment with "powerless Mondays." Worse still, at a time when the Philippines badly needs all the foreign investment it can get, national regulations requiring full pay even when the brownouts cut the workday in half have led to some twenty foreign manufacturers threatening to close up shop altogether. Nevertheless, an administration spokesman tells me that it's still necessary to keep "key industries" such as energy under government control.

Without doubt the sorry state of the Philippines today owes much to the ravages of Marcos and his cronies, who left this place with nothing to show for the billions in foreign aid but a $28.3 billion foreign debt, the highest debt level in Asia and one of the highest in the world. Culpability also rests with a still unaccountable foreign aid establishment that kept the money tap open even when the fraud and inefficiency became obvious. Unfortunately, the Aquino administration has made only token improvements, largely because it has changed the players around without altering the rules of the game. Marconomics lives.

Manila's shortcomings are all the more painful when set against the phenomenal changes now occurring in Eastern Europe. In Poland, East Germany, Czechoslovakia, and so on, they understand quite clearly that whatever the personal cupidity of leaders like Wojciech Jaruzelski, Erich Honecker, and Gustav Husak, the real culprit was a socialist economic system that centralized all decisions and power in a few hands, making corruption inevitable. Consequently, the newly elected democratic governments of the East have set about decentralizing their systems, slashing restrictions on trade with the rest of the world, moving toward convertible currencies, liberalizing imports, and, most painful, phasing out subsidies to mainstay industries such as steel and shipbuilding. In sharp contrast, Mrs. Aquino has maintained subsidies for oil, upheld caps on foreign investment, made the tax curve more progressive, retained import restrictions, and proscribed competition in the name of crackpot schemes such as a Philippine "people's car." In the name of keeping out the dreaded multinational businesses she has only kept her country in thrall to the multilateral lending agencies.

This question of development policy has never been more urgent, coming as it does in the thick of negotiations on the future of the six U.S. military facilities here, and amid a growing dissatisfaction (reflected in six coup attempts) that threatens Cory's ability to last out her term. Partly to prop her up, partly as a not-so-subtle bribe to keep the U.S. military presence in the region (see "Base Motives," p. 17), some nineteen donor nations and eight multilateral agencies have just begun to disburse from a brand new, multibillion-dollar "mini-Marshall Aid Plan" for the Philippines. Called the Multilateral Aid Initiative (MAI), it has already pledged $3.3 billion in aid for this year alone and this time, say officials, Things Will Be Different.

"In the past there has been too much emphasis on doling out money," concedes the Philippine ambassador to the U.S., Emmanuel Pelaez. "The first step was to restore constitutional democracy, which we have done.

"Now we are trying to restore liberty to the economic sphere," he says. "We've come a long way, but there are still many problems."

That's a somewhat, well, diplomatic way of putting it. Today the optimism that marked the People Power revolution has evaporated, and with it many would-be investors. A good number of Filipinos still lack basics such as electricity or plumbing, and the World Bank reckons that as many as two-thirds of the country's 57 million people live below the poverty line, a number equal to the population of

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California. In her state of the union address last year, Mrs. Aquino conceded that her administration has done little for the worst-off of her countrymen, a fact confirmed by the depressing number of street urchins lying in wait at every corner to beg spare pesos from motorists stopped at traffic lights.

The bipartisan impetus for the MAI dates from 1987, when Senators Alan Cranston (D-Cal.) and Richard Lugar (R-Ind.) and Reps. Stephen Solarz (D-N.Y.) and Jack Kemp (R-N.Y.) wrote to President Reagan urging a $5-10 billion multinational aid initiative to shore up President Aquino's fledgling democracy. After going through the legislative mills in Washington, Tokyo (at $1 billion for 1990 Tokyo is the program's top contributor), and the capitals of the other participating nations, the plan was finally approved last summer. President Bush has appointed his own special representative to the effort, former attorney general Elliot Richardson, and the money has just started flowing.

Yet for all the concern that the new MAI not repeat the failures of the past, it is striking that no one in the Philippines—not the National Economic Development Authority, the central bank, the congress, or even the cabinet—has any clear idea how much came in under Marcos, where it all went, and why. The tendency is to blame it all on the Marcoses' venality, reflected in Imelda's infamous shoe collection and the late president's commissioning of a Philippine Mt. Rushmore with his own likeness. But waste and plunder explain only what occurred. They don't explain how it could have happened, a question best directed at members of the international aid community such as the World Bank, the International Monetary Fund, the Asian Development Bank, Japan's Overseas Economic Cooperation Fund (OECF), the U.S. Agency for International Development, the Asian Development Bank, and a host of smaller groups.

"They were interested only in getting the money spent," says Sonny de los Reyes, a former Philippine government official who oversaw many projects. "Our job was to have a 'pipeline' of projects ready for approval whenever the World Bank came around. They would give out the money with little follow-up or accountability."

Wittingly or not, this played right into the hands of the Marcoses. In *Development Debacle*, a left-wing critique of World Bank policies in the Philippines, the authors show how in 1975 the Bank supported the consolidation of four cities and thirteen municipalities into Metro Manila. When Imelda Marcos was then appointed governor, it became clear that the reason for the merger was not to increase efficiency but to concentrate all spending decisions in Malacanang Palace. However wrong the authors may be in their belief that such practices somehow advanced international capitalism, they are dead on in their claims that the effect of all this economic centralization effectively made the World Bank and its lending colleagues Marcos accomplices.

In the name of keeping out the dreaded multinational businesses Mrs. Aquino has only kept her country in thrall to the multilateral lending agencies.

Almost immediately, for example, Imelda used her influence to build a string of luxury hotels the country didn't need, a huge cultural center it couldn't afford, and a number of "beautification" projects that often meant shoving poor people out of sight. In preparation for the IMF–World Bank Conference in Manila in October 1976, for example, some 60,000 squatters were relocated to areas far from their jobs and former homes. In other slums Mrs. Marcos simply had large white fences constructed, lest foreign bureaucrats have to endure the unsightly spectacle of the impoverished Filipinos they were presumably there to help.

More directly, some of the money ended up in Marcos bank accounts. Japanese aid was especially easy to steal, because the Japanese have no scruples about bribery and OECF allowed Marcos to choose his own contracts without bidding. This arrangement enabled him to pad costs of such projects as the Friendship Highway by as much as 10 to 15 percent, happily picked up by the Japanese trading firms handling the work and then funneled back to Marcos and his cronies as kickbacks. Although most attention has centered on the Marcoses and their venality, it's hard to avoid the implication for the banks: either they knew what was going on and didn't say anything, or they didn't know that billions were being ripped off right from under their noses.

Even well-intentioned programs did more for those on the contract end than those who were supposed to benefit from them, if only because aid is inherently stacked toward donor preferences rather than those of the recipients. In July 1988, then-NEDA chief Solita Monsod complained publicly that staffing and consulting requirements tied to American aid had cost the Filipino taxpayer some $2.7 million just to house and provide office space for aid workers that year. Australians building roads to serve remote rural areas tell how villagers thought that the real purpose was to make it easier for Marcos's army to swoop down on them. And in the case of the Japanese, projects are little more than advertising campaigns for Japan, Inc.

Small wonder, then, that many folks here, particularly those who have worked out in the field, believe that foreign aid is a malicious joke. "Development has been just another word for scam," says social worker Mitos S. Rivera. "All it's meant for the Philippines is meetings on poverty held in five-star hotels."

Today the aid agencies admit the failure of past efforts, arguing simply that there were not enough controls. But Filipinos left groaning under the multibillion-dollar debt with nothing to show for it might be inclined to point out how foreign lending actually increased as Marcos became more repressive. In 1966, when he was first elected president (and when the Philippines was, after Japan, the most prosperous nation in Asia), the country's foreign debt was roughly $500 million. In 1972, World Bank figures show the figure was still a low $1.9 billion. That was the year Marcos imposed martial law, which not coincidentally led to an explosion in debt, reaching $28.3 billion by the time of his ouster. Yet the Asian Development Bank was the only one to cut off funding to Marcos, and this didn't come until 1985.

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One reason the multilaterals kept doling out the money was that it gave them more leverage over policy. In fact, since 1974 the real Philippine budget has been set not by the president but by the Consultative Group, at an annual meeting attended by the Philippines' largest donors (now expanded with MAI) and chaired by the World Bank. At this meeting donors decide aid levels and what policies they want in return, with implications for everything from government spending to tariffs and interest rates. An inherently top-down approach, it deals with assistance the way HUD does with housing.

"There's a bias toward government in the aid industry," says one high-ranking U.S. aid officer in Manila. "It's easier and less messy to lend to one government rather than a number of private individuals. But the consequence is that you end up creating all sorts of government intermediaries that soak up a lot of money."

If you believe the talk coming out of Washington, this has all changed. Ambassador Richardson (whose name alone should set off alarm bells) returned from a trip to the Philippines this spring saying that Manila "is an attractive place to invest," and a U.S. Chamber of Commerce delegation weighed in with a report that it was "universally bullish" about the opportunities for fat contracts for American companies under MAI. Congressman Solarz says MAI is absolutely essential to rebuilding the Philippines, and Senator Lugar goes so far as to call it a "model" for American aid. Yet they offer few specifics about reforms apart from the vague idea that things must be better with Marcos gone.

Indeed, the answer to past abuses has been more of what got them in trouble in the first place: government. Instead of really opening up the economy, all the MAI does is make a few feints to the private sector, give local governments more of a say in projects (which might be welcome if this replaced rather than supplemented Manila's approval), and impose new regulations to prevent Marcos II. At the headquarters for NEDA, a multi-story bureaucracy crammed with planners setting targets and priorities that individual consumers and producers set for themselves in a free society, a spokesman says that what separates the MAI from past efforts is that the Philippine government now has more of a say in choosing what projects get off the ground.

"The basic difference from the past is that back then we had no centralized, systematic review of projects," says economist Charito Arrida. "At least now we know what our priorities are."

Now, at a time when East Berlin has torn down its wall and even Deng Xiaoping acknowledges the importance of the profit motive, the idea that all that's keeping Manila from becoming another Hong Kong is better central planning is disheartening enough. Even more discouraging is to look at the continued dominance of the aid community in setting policy. Because of their strength as creditors—multilaterals and bilaterals hold more than half the $26 billion foreign debt—they usually get what they want, whether it's setting deficit targets or devaluing the currency. In July 1989, the World Bank approved a $300 million loan that required new Philippine legislation to reform the banking laws (among other things these laws were to give more regulatory powers to the Central Bank and eliminate certain secrecy provisions), and earlier this year the IMF and World Bank together urged the imposition of new taxes in exchange for a $1.3 billion loan this May. Indeed, in their secret reports the World Bank continues to plump for more government spending, a larger share of tax receipts vis-a-vis gross national product, and, of course, fewer Filipino babies (see "People Politics").

The upshot is that while Cory continues to jiggle enough fresh loans every few months to make the payments on the old ones, the promised economic revolution has not come. Four years ago, the advocates of People Power vowed to get the government out of business. But as the privatization program approaches its deadline this year, the government has managed to sell off barely forty-seven of the 117 state-owned or state-controlled firms and only 153 of 399 non-performing firms it inherited when they went into default.

In fact, the most striking aspect of Philippine life today is that the centralized and exploitative system put into place by Marcos has survived relatively intact. In terms of government spending, for example, between 85 and 91 percent of all state expenditures (and consequently services) come from the national government, which means that national congressmen sitting in Manila have more of a say in local projects than local officials in the area. In addition, the government controls energy prices through its Oil Price Stabilization Fund, which this year will

People Politics

Manila

When a Filipina housewife in her trademark yellow dress was carried into Malacanang Palace in 1986 under the banner of People Power, hope was that she meant it. Her rallying cry had particular resonance here, in that the Marcos regime had thrown in its lot with the evangelicals of foreign aid, whose first article of faith was that the world had reached its quota of Filipinos. Thus began a concerted effort by USAID, the World Bank, and the U.N. Fund for Population Activities (which lost its U.S. funding for supporting Peking's forced-abortion policy) to impose population control on an unwilling Philippine public.

Population control divides folks here like no other issue, a zero-sum summed up in an infamous 1977 address delivered at MIT by Robert McNamara in which the then-World Bank president said that although no one liked the idea of coercion, governments simply could not afford to "let population pressures grow so dangerously large." Not surprisingly, McNamara's brand of Imperial Nativism did not go over well in the Philippines. "If you come in with foreign assistance you are immediately suspect because of what happened with past population control efforts," says Linda Valenzona, an aide to the minister of social welfare and development.

More important, the idea that countries develop by cutting down on the number of potential producers rests on shaky economic grounds, particularly in Asia, where places such as Taiwan, Japan, and Hong Kong have managed spectacular growth despite being far more crowded than the Philippines. Even on their own terms population programs are dubious: for all the millions spent on population control during the Marcos years—about $94.5 million—the birth rate dipped slightly but soon came up to its old levels.

Unlike, say, China, where the authorities resorted to forced abortions because they believed them essential to economic progress, Ferdinand and Imelda embraced population control not so much because they really believed in it but because it opened a rich new vein of foreign aid. Consequently, they inserted a constitutional clause giving the government the right to set population targets, moving what are properly personal decisions from the realm of private choice into public policy. A USAID officer once boasted to me that his people had Marcos banish a cabinet member, Placido Mapa, to the Philippine National Bank because they didn't believe he was enthusiastic enough about pushing for fewer Filipino babies.

But a funny thing happened. The foreigners got their way, but instead of a reduction in the birth rate what the Philippines got was an explosion of staff and resources devoted to that goal. This in turn led to the usual frauds and inefficiencies. Inasmuch as doctors were often paid per operation, and incentives such as transistor radios were offered to men in exchange for vasectomies, there were plenty of built-in temptations for hanky-panky. Many of those who were "sterilized" thus turned out to be women in their fifties, and Placido Mapa recalls how cabinet meetings were enlivened by reports that condoms were turning up as balloons at town fiestas.

To the multilaterals like the World Bank this was just part of the White Man's Burden, and in their secret reports they continue to argue that Real Development is but another billion dollars or a billion condoms away. In this they are loudly opposed by local organizations such as Families for Family, not to mention the Catholic bishops. Most people here, however, have their own way of dealing with meddlesome bureaucrats. Instead of fighting, the ever-resourceful Filipinos have used the unwanted contraceptives to spawn a new industry: cut flowers. It turns out that a birth-control pill called Noriday Brown, mixed with a gallon of water, makes an excellent fertilizer for orchids.

The Aquino administration itself has evidently come around to Marcos's view that there really are too many Filipinos in the world today. How else to explain Cory's recent approval of a brand-new, five billion peso (about $240 million) program to bring down the birth rate, not to mention the goal of Zero Population Growth by the year 2010 enshrined in the Medium-Term Philippine Development Plan 1987-1992. The anti-people brigade like to portray themselves as Children of Light trying to impose reason on a hide-bound Catholic population, but even a little honest reflection would show that it was the same anti-growth superstitions of the foreign-aid establishment that got the Philippines in its present troubles in the first place.

"The one thing I've noticed about [the population control lobby] is that they have completely given up on man and his ability to meet problems," says Roque Carballo of Manila's Center for Research and Development. "They have failed in everything, so all they have left is to try to eliminate poor people instead of poverty." —*WMcG*

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account for about 15 percent of the government's projected $2.4 billion deficit.

Even worse are the secret deals with a select group of businesses. The Car Development Program, for example, gives a number of Philippine automakers (subsidiaries of Japanese firms such as Toyota, Nissan, and Mitsubishi) exclusive rights to import certain auto parts in the quest for a national "people's car," the Philippine version of the Yugo, the curious argument being that eliminating competition will somehow lower the price. Then there are the hedging arrangements with a secret list of Philippine businesses—rumored to include even the giant San Miguel Brewing Company—whereby the government makes up any shortfall due to a drop in the exchange rate. In other words, the company enjoys all the profit but the Filipino taxpayer assumes all the risk, a costly arrangement given the drop in the value of the Philippine currency from seven pesos per dollar in 1983 to twenty-three pesos per dollar today. As Prof. Victor S. Limlengan of the Asian Institute of Management put it in a recent issue of the Philippines' *Newsday*, "While the right to vote is accepted as an inherent right, the right to do business is still considered a privilege subject to the government and its minions."

The most egregious pandering to the monopolies is the continued failure to lift the 40 percent cap on foreign equity that eliminates potential competitors from abroad; after all, few investors are going to pump in substantial amounts of money when they won't have any control over it. Right now there are proposals in both congress and the cabinet to remove this restriction, but they run into constitutional difficulties. The government for its part likes to point out that it waives the 60/40 rule in a number of sectors where there is no indigenous enterprise, but this only confirms the gist of the problem: foreign investment is allowed in, but not to the point where it might actually do something for the Filipino consumer by challenging a domestic monopoly.

"The 60/40 rule is one of the biggest barriers to development here," says Peter Wallace, president of AYC Consultants in Manila. "A large part is even psychological. If the government eliminated it tomorrow, foreign investors would still find Filipino partners. But they'd feel that this place wanted them."

Certainly the talent and willingness to work hard is here. Alongside the beggars at every street corner are Filipino hawkers in shorts and flip-flops, small-time entrepreneurs who stand all day in the hot Southeast Asian sun peddling everything from newspapers and rags to single cigarettes. Fruit markets open early and close late. Taxi drivers work all day in snarling traffic, clearing only a few pesos more than their gas costs. And countless thousands of Filipinos go abroad in search of the most menial work, just to put bread on the table back home, part of a Philippine diaspora of perhaps six million people. This summer Mrs. Aquino outlawed the booming mail-order marriage business here, characteristically making a public ruckus about a symptom while doing nothing about the underlying lack of economic opportunity that drives women to such acts of desperation, something no amount of aid can ever address.

"The rest of the world is leaving us behind," sighs one bureaucrat in Manila, comparing the tearing down of economic and political walls in Eastern Europe with a *Manila Bulletin* headline announcing Mrs. Aquino's wish to impose eighteen new taxes. The foreign debt is down somewhat, to $26 million, about as far as you can go by squeezing every last peso from an already impoverished people. The moment has come to choose between the multinationals or the multilaterals: between an economy open to competition and a closed system that leaves them in thrall to the same technocrats who got them in this mess in the first place. The walls are down in Eastern Europe, Hernando de Soto is all the rage in Latin America, but at Malacanang Palace they scarcely seem to have noticed. □

Base Motives

Mandaluyong, Metro Manila

At a recent dinner here at the residence of Jaime Cardinal Sin for a departing U.S. diplomat, a Filipino choir of a half-dozen girls and one boy gathered to entertain the assembled. In deference to the guest of honor the group opened with selections from *Oklahoma!*, *West Side Story*, and *The Music Man*, followed by several local folk songs, all delivered with poise and good humor. Then, still full of smiles, they broke into a touching rendition of "America the Beautiful."

It was as if a dark cloud had passed over the room, as conversation at each of the two dozen or so dinner tables gradually stilled. The reason: among those seated were some prominent critics of the American presence in the Philippines, including an Aquino cabinet official or two. The difficult negotiations over the future of the six U.S. military facilities, begun only a few days before, showed early on that Washington and Manila remain deadlocked. As the choir delivered its last sweet notes Cardinal Sin, ever the gracious host, stood up to clap his hands in appreciation. The tension was broken, and the crowd took up the applause.

No American present could fail to be moved by the choir's gesture, another sign that in spite of all the nonsense spouted by Filipino elites America is still held in esteem at the grassroots—indeed greater esteem than their own government. That's precisely what rankles *soi-disant* Philippine nationalists, and may explain why in his stage spoof of U.S. involvement in the Philippines, *Manifest Destiny: An Evening of Yankee Panky*, Foreign Secretary Raul Manglapus has the American "Father Figure" slain.

Real life is somewhat less heroic, of course, in that far from slaying Uncle Sam, Mr. Manglapus has been stomping his feet and demanding a bigger allowance. In fact, Malacanang Palace has made it quite clear that the debate over the bases is not about the Philippines' defense, its foreign policy, or its place in the world. The only issue is the price at which the Philippines can be bought for what America is willing to pay. Manila reckons that the Pentagon is not about to give up all the strategic and logistic advantages of its Subic Bay Naval Station over a measly few million dollars. You would never know from any of this talk that the U.S. bases are part of a U.S.-Philippine alliance that happens to provide this country with a free defense against external aggression.

To be sure, America does have a lot to answer for, but not in the way Mr. Manglapus imagines. American colonialism in the Philippines has left a legacy of giant welfare dependency, the same sorry legacy of U.S. colonialism everywhere—Guam, Puerto Rico, American Samoa, the American Virgin Islands. In the Philippines, for example, the bases have made the U.S. government the country's second largest employer (right behind the *Philippine* government). A good part of the problem stems from Washington's penchant for trying to win loyalty through dollar diplomacy, which not only debilitates aid recipients but subjects American foreign policy to periodic bouts of extortion. At one point during the negotiations, U.S. representative Richard Armitage told Manglapus: "I am not an accountant and I do not stand next to a cash register when conducting foreign relations. Nor do I put a price tag on Philippine honor and sovereignty."

Well, that's not quite true. Although Washington talks a good game, in practice it does rely on the cash register to get its way, which is why there is a certain amount of cynicism about the American argument. Just days before these particular negotiations began, for example, USAID suddenly came through with a $40 million grant for population control to Alran Bengzon's Department of Health. Bengzon, an old and ambitious anti-American leftie, happens to be vice chairman of the bases negotiating team. Apart from the pernicious effect of funding population control, the grant strengthened Bengzon's hand within the Aquino cabinet at the expense of more pro-American (not to mention pro-market) elements, and the suspicion here is that the $40 million will go not to reduce the birth rate but to build up Bengzon's political machine.

On a more general level, at a time when Washington is restructuring its defenses to meet a changing world situation, it would do well to note that of the thirteen nations around the world that play host to American forces, the healthiest and most faithful allies—Germany, Japan, and South Korea—actually make contributions to the U.S. for upkeep of the bases. It is fair-weather friends and economic basket cases like Greece and the Philippines who demand ever higher "rents" from the U.S. for its presence. For this reason, there are even some conservatives in the Philippines who think that an American withdrawal from here might in the end be the best thing for both countries.

There may be something to that. Filipino politicians have felt free to indulge in the most shameless demagoguery, secure in the knowledge that whatever they did Big Daddy America would bail them out in the end. But the diminished threat from the Soviet Union, together with the U.S. Congress's decision last year to slash $96 million from the Bush Administration's $481 million request for Manila, has opened a few Filipino eyes. The smarter of them now recognize that because of the financial straits their own economic policies have put them in, they will be left with no choice but to agree to an extension of our leases—for a lot less money than they said they would. Thus is completed the vicious aid circle, with the end result not gratitude but resentment.

—WMcG

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Robert Stowe England

CONGRESS, NADER, AND THE AMBULANCE CHASERS

With allies like erstwhile consumer advocate Ralph Nader and leading congressional Democrats, trial lawyers have emerged as America's fattest cats, waging war against producer and consumer alike and exerting veto power over all attempts at product-liability and no-fault tort reform.

Last September a school bus carrying seventy children collided with a Coca-Cola delivery truck at a crossroads in Alston, Texas. The bus veered off the highway, plunged over an embankment, and crashed upside down in a gravel pit filled with water. Twenty-one of the children, the bus driver, and the truck driver were killed. It was the worst school bus accident in Texas history.

The tragedy was followed by a travesty. Hordes of trial lawyers converged on Texas and started bidding on clients, offering the grief-stricken families trailers, vans, and new homes if they would sign contingency contracts—which guarantee lawyers a set percentage of any damages received—to sue the deep-pockets of the Coca-Cola Company and the local government that owned the gravel pit. In April a settlement for $67.5 million was reportedly reached with the families of sixteen of the students killed.

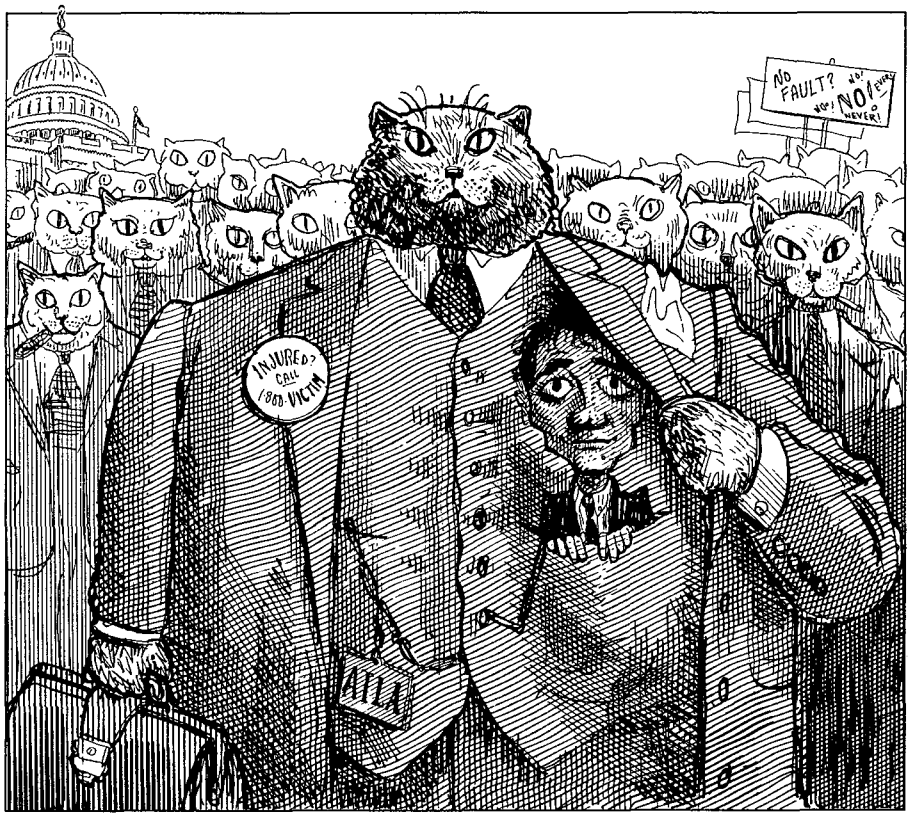
A handful of trial lawyers walked away with $25 million, earning hourly fees that ranged from $10,000 to $40,000, according to Lester Brickman, a professor at the Cardozo School of Law at Yeshiva University in New York. Brickman calls it an outrage: "These lawyers are stealing money for doing nothing more than getting clients to sign on the line." Brickman is trying to persuade the American Bar Association to reform its self-regulatory processes to lower plaintiffs' lawyers' contingency fees when there is little or no uncertainty over the outcome of a lawsuit.

There are 65,000 plaintiffs' attorneys in the Association of Trial Lawyers of America (ATLA), a national trade group based in Washington. Defendants' lawyers are not similarly organized on the national level. Most attorneys, litigators and otherwise, belong to the more public-spirited American Bar Association.

The travesty in Texas is not unusual. Thousands of American trial lawyers, led by Melvin Belli, descended on Bhopal when a gas leak at a Union Carbide plant killed two thousand. Thirty years ago, however, grand-scale ambulance chasing was rare. The new golden era dawned in 1963 when the first million-dollar award was made in New York City. Since then, courts and juries have awarded larger and larger sums to victims of various accidents, malpractices, and mishaps. Business and government agencies have offered huge sums to settle out of court with an ever-expanding pool of trial lawyers. This judicial black hole is now so large that plaintiffs' lawyers earn a staggering $10 billion a year on personal injury suits, according to Brickman.

The most troubling aspect of the litigating binge is the rising flow of trial bar money into national politics since about 1974. Before then, trial lawyers were busy making sure state legislatures did nothing to kill the tort goose that laid the golden egg. But today Congress is their lap dog, and their power-brokers on Capitol Hill are often able to thwart the will even of the Congress itself. A nationwide old-boy network pours in lots of money, particularly into the Democratic party. "In some states they constitute the entire fund-raising arm of the Democratic party," says Walter Olson, a fellow at the Manhattan Institute.

Time and again, the trial bar outwits its enemies with brilliant political strategies. These lawyers have a built-in advantage: they're a one-issue interest group that fights against coalitions whose members have dozens of issues to wage in Congress. And they argue with a passion bred of raw self-interest. Says Congressman Dan Glickman (D-Kan.): "The trial bar brings tremendous intensity to their causes. They are most forceful and most aggressive, and there's very little tendency to compromise on issues they see as fundamental to their well-being." Michael Greve of the Center for Individual Rights adds, "They are the biggest pigs at the public trough."



The "Inner Circle of Advocates," an unofficial club of the 100 wealthiest trial lawyers, can exert enormous influence. According to a former ATLA staff attorney, "Those that earn over a million dollars a year are insufferable—they can't stop talking about how much they make. All they talk about is money, money, money and how they're going to make more, and who they know in politics and who they can influence."

It is all but impossible to get a firm handle on the amount of money flowing from trial lawyers into Washington, but according to *Legal Times*, contributions by the ATLA Political Action Committee (PAC) and law firm PACs was $3.4 million in the 1987-88 election cycle. For 1989-90, the figure will probably come closer to $4.5 million. Individual trial lawyers may give to candidates and to the Democratic party another $5 million or more, making them probably the largest single-issue givers in national politics. "The deals that are made and the sums of money that change hands are enormous," says Olson. "But if you investigate the Federal Election Commission records, all you end up with is a long list of names you don't recognize." The trial lawyers draw attention away from the spoils they collect by posing as defenders of consumer rights. "We are crusaders of good. None of us is in it for the money," was the incredible boast of Sacramento Inner Circle Advocate Ned Good to *Forbes* last year.

Perhaps no one has done more to camouflage the self-interest of the trial bar than Ralph Nader, especially in the last decade. Although he is lionized by the press for his modest life-

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style, some of Nader's closest allies are superwealthy trial lawyers, who donate heavily to his programs. In return, Nader never endorses a consumer cause that conflicts with the interests of the trial bar. "He's a lawyer, likes lawyers, and consorts with them," says David Sanford, who became the subject of a fierce *ad hominem* attack from Nader, when, as managing editor at the *New Republic* in the early 1970s, he published an article by Leah Young revealing that the trial bar had given Nader $10,000. That early public relations setback may have kept Nader from openly advocating positions beneficial to the trial bar in the 1970s.

Today, Nader's denial of trial bar support is ludicrous; its footprints are everywhere. Robert Joost, who was chief counsel for the Senate Commerce Committee during battles over federal no-fault auto insurance in the 1970s, says that Nader is "an agent at large" for the trial bar, and that they return the favor by "tithing." From a $100,000 court award, $40,000 goes to the lawyer. From that $40,000, the lawyer gives $5,000 to the national ATLA PAC, $5,000 to the state ATLA organization, and $5,000 to Nader, Joost says.

The media have been too lazy to investigate the relationship. Even so, Nader's hypocrisy is sharply revealed when consumer interests collide with those of the trial bar. Particularly telling was his opposition to a 1986 amendment offered by Republican Senator Robert W. Kasten, Jr., that would have required plaintiffs' lawyers to disclose their hours and to offer to work at an hourly rate. The Consumers Federation of America, made up of local consumer and labor organizations around the country, and Consumers Union, which publishes *Consumer Reports*, supported the amendment. Nader consumer groups like Public Citizen and Congress Watch fought it vigorously.

Nader also hits the campaign trail to smear supporters of tort reform, like Senator Kasten, calling him "a drunk who needs to be rehabilitated, not reelected" (according to the Senator, he was once pulled over for drunk driving but not arrested). In Pennsylvania's 15th congressional district the trial bar has funded opposition to Republican Rep. Donald L. Ritter, perhaps the strongest House advocate of product liability tort reform, for the last three elections. Nader has accused Ritter of being against the consumer because he depends on contributions from nuclear energy interests, a charge Ritter finds "dishonest," since his is a coal-and-steel district. "Nader's hypocrisy never ceases to amaze me," says Ritter. "Like clockwork he blasts me every October before an election."

Nader seems not to be driven by the same greed that propels the big-time trial attorneys, rather by a passionate ideology that he keeps largely to himself. A boot-licking *Washington Post* profile by Marc Fisher revealed hints of it, though, in reference to Nader's father's devotion to Marxism. A Lebanese-American, he ran a restaurant in Winsted, Connecticut. Winsted old-timer George Sherwood says Nader got his "strong ideas" from his father, making him a kind of backwater red-diaper baby. "Mr. Nader thought the wealth should be [re]distributed and salaries be limited, and he wasn't shy about telling it to anyone" who came into his restaurant. This anti-capitalism must have sounded strange to Connecticut Yankees, especially coming from an immigrant entrepreneur, but it is clearly echoed in Nader's rhetoric and passion for his causes. The same socialist themes can be heard from trial lawyers like Ned Good, who describes himself as a "social engineer," transferring wealth from the rich to the poor.

The Democratic party's socialists, like Senators Ted Kennedy and Howard Metzenbaum, have welcomed this rhetoric and forged an alliance with the trial bar, which magnifies their own influence within the party and in Congress but forces them to wear moral blinders when party interests conflict with those of ATLA. In return, the senators wage holy war in the Judiciary Committee on conservative nominees. The plaintiffs' bar is now the *nomenklatura* of the judicial system and Big Daddy to the left wing of the Democratic party. And it has left Democratic leaders the strongest opponents of no-fault tort reform. As the "party of labor," one would think they'd be its strongest advocates.

Republican Senator Orrin Hatch of Utah, a member of ATLA and a critic, says the power of the trial bar is most evident on the product liability issue: "The upsurge in product liability cases has caused a serious outflow of manufacturing from the shores of the United States to less legally abusive countries. Everyone in Congress knows it, and they think something should be done about it, but the influence of the trial bar has kept reasonable, substantive changes from occurring." The nine-year congressional stalemate on product liability reform follows the trial bar's defeat of federal auto no-fault legislation in the 1970s.

New laws coming out of Congress offer generous goodies for the trial bar. The Americans with Disabilities Act, by putting the burden of proof in discrimination on employers, businesses, and property owners, will greatly enrich trial lawyers. But the new law is a piker compared to the proposed Kennedy-Hawkins Civil Rights Act of 1990, which also leaves the burden of proof on the employer. Senator Hatch calls it "a litigation bonanza for trial lawyers. This will make litigation the first choice, the preferred choice in every case." It will lead businesses to adopt quotas to avoid lawsuits. The impact on race relations will be devastating, according to economist Walter Williams. "If it passes, it will be just another piece of kindling for an already highly combustible pile for some racial arsonist to set afire."

Plaintiffs' lawyers earn a staggering $10 billion a year on personal injury suits, according to Lester Brickman of the Cardozo School of Law.

The Ambulance Chase Is On

The story of the trial bar's rise to power in Washington begins in the 1960s with the labor- and consumer-led auto no-fault movement, an echo of the labor-led workman's compensation movement that enacted no-fault insurance for workplace injuries in every state, in the decade after 1910. This time around, however, the trial bar either stopped the effort at the state level or sabotaged the no-fault laws with provisions that made them unworkable. The trial bar's success in stopping no-fault on the state level led to an effort in Congress to preempt state laws with a federal law and thereby thwart the trial bar.

In 1969 a massive Department of Transportation study of rising automobile insurance premiums reported that the root of the problem was the tort system, and recommended a model federal auto no-fault law similar to one in Michigan. In 1971 Democratic Senators Philip Hart of Michigan and Warren Magnuson of Washington, chairman of the Senate Commerce Committee, introduced the first major federal no-fault bill. In hearings before the Commerce Committee, a former ATLA staff attorney, Robert Joost, revealed just how state trial bars got their way with state legislatures: by creating huge funding pools to finance ATLA candidates to run against supporters of no-fault. They also funded front groups to argue their case and paid supposedly independent experts and academics to testify in support.

In 1973 ATLA President Leonard Ring stated that if there was any success at the federal level with no-fault, the trial bar would adopt a "scorched-earth policy—we'll destroy the system and the insurance industry with it." ATLA chose Ring to lead the charge because "I grew up on politics in Illinois and I got to know and understand it."

Supporters of no-fault were primarily moderate and liberal Democrats and Republicans, opponents usually states' rights advocates of both parties. The odd man out was Senator Ernest F. ("Fritz") Hollings of South Carolina, who boasted that his winnings from contingency cases had financed his run for public office and he wasn't going to allow anyone to put any limits on it. The non-Nader consumer groups lined up solidly behind the reform and formed an alliance with the Teamsters, United Auto Workers, and the United Steelworkers in the National Committee for Effective No-Fault. ATLA vigorously and publicly opposed no-fault, as did two insurance organizations.

The trial bar found an ally in conservative Republicans, although President Nixon was an avid supporter of no-fault on the state level. In 1972 the Hart-Magnuson bill, after a favorable report from the Senate Commerce Committee chaired by Senator Magnuson, was defeated after a floor fight in the Senate ended in a 49-to-46 vote to refer the matter to the Judiciary Committee, a states' rights haven. The next year, Judiciary Committee Chairman James Eastland of Mississippi agreed to report or discharge the bill by February 1974. Eastland asked no-fault opponent Republican Senator Roman Hruska of Nebraska to chair the hearings and study the constitutionality of the bill.

Mike Mullen, then counsel to the Senate Judiciary Committee, says the study was designed to buy time for the trial bar to build opposition, and trial lawyers were prominent among the witnesses in the 1974 hearings. Surprisingly, the Judiciary Committee voted eight to seven in favor of no-fault. Mullen, for his efforts, received a telephone call at home warning him that if he continued to support it, "We'll see to it that you never get another job in Washington," an associate says.

The issue reached the Senate floor in 1974. No-fault supporters had a slight edge, with a huge block of undecided senators. Taking a leaf from the trial bar's bullying tactics on the state level, Boston trial lawyer Tom Bendorf, lobbying for ATLA, threatened Louisiana

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Senator Russell B. Long, a soft supporter of no-fault. Bendorf reportedly told the Senator the trial bar would raise $500,000 to fund and support an opposition candidate in the next election if he stuck to his position. This threat was made publicly, to intimidate other swing votes on the issue.

ATLA could raise $500,000 for an opposition candidate by setting up PACs in all fifty states, which could then give the maximum $5,000 per primary and $5,000 per general election. ATLA even got pledges from each of the state trial bars to raise the funds. Trial lawyers, under Ring's direction, had begun to form state PACs in 1974, making the threat to fully fund a senator's opposition very credible. But Ring overestimated himself; Senator Long refused to change his vote, ATLA never raised the funds, and Long was re-elected.

In a desperate move to create the impression of a grassroots groundswell of opposition to no-fault, the Los Angeles ATLA chapter worked out a deal with Western Union to send telegrams to nine key senators. The telegrams would be signed by people from a list compiled by the local ATLA's 3,000 members, but none of the lawyers sponsoring the telegrams would sign their names. Western Union was told to send one of twenty pre-selected messages and bill the local ATLA $2 per telegram. Within two days ATLA attorneys had phoned in thousands of names and Western Union had sent 4,300 telegrams. Publicity caused the deception to backfire, enlarging congressional support for no-fault, which passed the Senate 53 to 42 in May 1974.

Failing to win the battle publicly, ATLA began to work behind the scenes with the Democratic leadership in Congress. Tom Bendorf and his ham-handed tactics were discarded and ATLA hired Tommy Boggs of the Washington law firm of Patton, Boggs, and Blow. Boggs is the son of Congresswoman Corinne C. (Lindy) Boggs, who took over the Louisiana seat held by her husband, Hale Boggs, the House majority leader killed in a plane crash in Alaska in 1972. Had he lived, Boggs would have become Speaker of the House. Tommy Boggs's close friendship with Tip O'Neill gave him access to the highest levels of the House Democratic leadership. No-fault supporters agree that Boggs is the most effective lobbyist that ATLA has employed, though Boggs refuses to talk about it. On the Republican side, ATLA signed up Bill Timmons, a former Nixon White House special assistant. Tom Korologos of Timmons's firm became the chief Senate lobbyist. Timmons also refuses to be interviewed about his activities.

"The trial bar brings tremendous intensity to their causes. They are most forceful and most aggressive, and there's very little tendency to compromise on issues they see as fundamental to their well-being."

Meanwhile, Ring formed an ATLA PAC in 1975 to raise funds for congressional candidates and soft money for the Democratic party. When it was announced that the ATLA PAC had raised $400,000 in only a few months, no-fault supporters became alarmed. California Rep. Lionel Van Deerlin, chairman of a new Consumer Protection Subcommittee, swung into action and reported a no-fault bill out of his committee by a narrow five-to-four vote. "Many members vote their own backgrounds on an issue like this," Van Deerlin said, noting that about half of all congressmen then were lawyers (220 in the House and sixty-six in the Senate—very close to today's numbers). Although the President came out against the bill, it emerged from the committee on a voice vote.

The Hart-Magnuson bill swiftly moved to the floor in March 1976, where it met a sudden Waterloo. On a motion by Senator Hruska, it was sent back to committee on a 49-to-45 vote. "The trial bar won a stunning comeback," says Mullen. What happened? Nine of the former supporters switched their votes. Six were moderate Republicans who defected *en masse* at the last minute, including Robert Packwood of Oregon, William Roth of Delaware, and Robert Taft of Ohio. It was generally believed that the White House brought pressure on the Republican senators to switch their votes. Peter Kinzler, chief counsel for the subcommittee, points out that the Republicans had all received the $5,000 maximum contribution for their primaries from the new ATLA PAC: "It helped change their minds."

The Carter Administration breathed new life into the no-fault movement in 1977 by deciding to back the initiative, but Carter's influence ultimately proved worthless. He made no attempt to lobby for the bill, while the trial bar moved its headquarters to Washington, the better to oversee its ballooning lobbying and campaign spending budgets. In 1978 Boggs reportedly worked behind the scenes to find a way to delay consideration of the no-fault bill to give the ATLA more time to build an opposition. The vehicle for the delay turned out to be Democrat John A. Durkin of New Hampshire, co-sponsor of the legislation on the Commerce Committee. "He and Tommy Boggs had a beneficial agreement," says Kinzler. "Durkin would have no opposition in his next primary and Durkin would delay the bill in committee." In early 1978 Durkin asked Commerce Committee Chairman Howard Cannon of Nevada to authorize an independent study of the Michigan experience, claiming the DOT study was biased. Republican James Pearson of Kansas and Democrat Wendell Ford of Kentucky joined Durkin in supporting the new study. Ford, who headed a consumer subcommittee of Commerce, had already held hearings on the bill in 1977. "I don't believe that I've ever had as much pressure placed on me," he said, referring not just to the trial bar lobbyists roaming the halls of the Senate but also activist lawyers from around the country. According to Joost, two of the peskier ones were Craig Spangenberg of Cleveland and Samuel Langerman of Phoenix.

When the results of the committee's quick study had been written up but not released, Durkin told the committee he had seen the report, and that it found that no-fault had not worked in Michigan. According to Kinzler, the study said the opposite: that the Michigan no-fault law reduced premiums and increased benefits.

Then Durkin, joined by Democrat Donald Riegle of Michigan, came out openly against the no-fault bill. In a ploy that may have reflected a behind-the-scenes Nader influence, the two claimed that the bill would bring "windfall profits" to insurance companies—utterly ridiculous in the face of heavy insurance-industry opposition and consumer-group support. When the Commerce Committee finally voted, the bill passed anyhow, but never saw a vote on the floor. Senate Majority Leader Robert Byrd held it up, claiming the bill was threatened with a filibuster, presumably from Senator Hollings.

Checkmated in the Senate, supporters of no-fault made a last attempt to get House action, in Rep. Harley O. Staggers's Commerce Committee. At first, members voted 24 to 18 to reject a trial-bar-inspired motion to send it back to the consumer subcommittee. Undaunted, the trial bar managed to get a second vote scheduled on a motion to recommit. The trial bar won 22 to 19 on the second vote, after a flurry of vote switching. Three Democrats switched from support to opposition, and another two Democratic supporters did not even come to the meeting, including John Murphy of New York, the critical player in the drama. Kinzler says Murphy's absence was due to pressure from House Speaker O'Neill, who in turn was responding to pressure from Boggs: "O'Neill told Murphy his endangered species bill was threatened if he showed up for a vote." Kinzler believes that if Murphy had supported the bill, two other wavering Democrats would have joined him, and the kill motion would have failed.

This was the death knell for no-fault. Lynn Sutcliffe, head of the National Committee for Effective No-Fault, says its defeat can be attributed solely to the trial bar's hoard of money. His committee was spending $250,000 a year on lobbying, while the Washington office of ATLA was pouring in $2 million. PAC money was used to threaten congressmen and, Sutcliffe says, "The trial bar found out it worked. They set the pattern others would follow for the use of PACs." The victory was total. No auto no-fault bill has surfaced since.

Product Liability Goes Bust

Product liability became a hot issue in the mid-1970s when small businesses lobbied the Ford Administration to do something about skyrocketing insurance premiums. A task force, headed by University of Cincinnati torts professor Victor Schwartz, reported to the Carter Administration in 1978 that the bulk of the problem was due not to the insurance industry, as the trial bar and Ralph Nader claimed, but to the instability of the tort system. Judges had changed tort rules retroactively, thus making manufacturers liable for ac-

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tions for which previously they would not have been held responsible. These new rules were creating "a pattern of chaos" in fifty-one jurisdictions.

The task force recommended a Uniform Product Liability Act, to be offered to the states as model legislation. The law, designed to allow manufacturers to conform to one standard instead of fifty-one, was not adopted uniformly by the states, and it was obvious by 1981 that a federal law was needed. It was then that Senator Kasten introduced the first significant legislation on product liability.

From the outset it was clear that the hundreds of businesses that made up the Product Liability Alliance—the only organization representing manufacturers, product-sellers, and insurers on this issue—were political novices compared to the trial-bar sharpies. Senator Kasten says that a businessman who comes to Washington divides his energies across a half-dozen or more issues, giving product liability "only ten to fifteen minutes of his discussion time with a congressman or senator. When he goes back home, he's not part of the political process and is not familiar with politics. On the other hand, the plaintiffs' attorney comes to Washington and has only one thing on his agenda, and outside the Beltway he's part of the political fabric in every congressional district in every state."

The Product Liability Alliance just won't quit, however, even after nine years of trying and failing. "We're absolutely committed. We'll stay on it until it is done," says a lobbyist for the alliance. The Republican base of support for a uniform product liability law is joined by key Democratic senators like John D. Rockefeller IV of West Virginia and Daniel Inouye of Hawaii, along with a raft of moderate Democrats in both houses, ultimately an unbeatable political combination.

Nader burst upon the scene like Trial-Bar Superman when product liability bills first appeared in the Senate. Schwartz, who became a lobbyist for the Product Liability Alliance, says, "One doesn't run into the plaintiffs' lawyers on the Hill: there's Nader, Nader, Nader, and Nader and his people." While Nader's profile has grown, the trial bar's has vanished, creating the impression that the Nader groups are independent and ATLA not very active. "Not so," says another lobbyist for the Product Liability Alliance. "Tommy Boggs is hard at work, and the trial bar's fingerprints are all over the place."

Even before the first product liability bill, ATLA was setting up to blame the liability crisis on the insurance industry. They needed a consumer organization to counter the lobbying of the insurance industry in Congress, according to trial lawyer William Shernoff of Claremont, California: "Insurance lobbyists are always trying to influence Congress. So we felt consumers needed a National Insurance Consumer Organization [NICO] to have their own voice." Shernoff says he thought up the idea for NICO and talked Nader and current NICO head Bob Hunter into starting it. When Nader and Hunter hesitated, Shernoff says he offered to raise the money to start the organization.

Hunter says *he* had the idea first, that he organized NICO not to fight product liability but to promote consumer interests in the insurance industry. In the beginning he knew of no trial-bar support and says Nader told him he could raise the $125,000 necessary. With the funding assured, Hunter felt he could leave his job and start NICO. Then, Hunter says, he learned that Shernoff gave $25,000, and that Nader *personally* gave $25,000. The remaining $75,000 came from the Rosewater Foundation, which Hunter says is a Nader foundation. Shernoff claims that *he* raised the remaining money, which suggests that $75,000 of trial-bar funds were channeled through Rosewater.

In 1985, perhaps worried that NICO might look like a front, Hunter banned direct contributions from the trial bar. It may have been too late. For one thing, it still does not prevent trial-bar money from being filtered in through a Nader-controlled foundation. While Hunter has veered from the Nader line on auto no-fault, he has not yet supported any tort reform on product liability.

To be sure, the early Kasten bills invited consumer attack by trying to turn back the clock to strict liability standards and an end to the doctrine of "joint and several liability," under which anyone involved in a product, from the manufacturer to the distributor or retailer, can be held liable for a tort, even if the consumer was partly or totally to blame for the accident.

The consumer groups were wrong to analyze the issue strictly as one of torts, for outrageous settlements have led to higher prices for all consumers. Meanwhile, under the tort system most consumers rarely recover anything when harmed by a product. Only one consumer group seems to understand the damage done by the trial bar and the tort system. That group is Help Abolish Legal Tyranny (HALT), a member-supported organization free of special-interest control. They want consumers to be able to collect damages in automobile accidents, medical malpractice, and product liability without going through the tort system, which HALT President Glenn Nishimura calls "a lottery."

In spite of their uncritical acceptance of Nader's line on product liability, the major consumer groups were accepted as independent on Capitol Hill, and were able to keep product liability tied up in committee for three years. In 1984, however, Kasten's bill finally emerged from the Senate Commerce Committee on an eleven-to-five vote. His continued overtures to consumer groups to come up with ideas that the business and insurance community could support finally bore fruit. David Greenberg, counsel for the Consumer Federation of America, presented a new idea—no-fault *choice* product liability. Greenberg was not alone; University of Virginia law professor Jeffrey O'Connell, the grandfather of auto no-fault, was already beginning to talk about no-fault choice.

Nader's hypocrisy is sharply revealed when consumer interests collide with those of the trial bar.

Under Greenberg's plan, if the consumer chose the tort system, he would face rigorous standards of common law to establish fault. If he chose no-fault, he had only to prove he was injured by a product. To pay actual economic losses, a fund using a portion of damage recoveries in the stricter tort system would be developed. Nader lobbyist Jay Angoff of Congress Watch got wind of the idea when Kasten's staff shared it with others in the consumer and labor movements. Nader, reportedly in a rage, and Angoff asked Greenberg to a meeting at Nader's Center for the Study of Responsive Law. According to two people present, Nader told Greenberg that he would attack "the Consumer Federation by name" if Greenberg continued to press his proposal. "Nader was very heavy-handed; it was surprising to me," says one. "He wasn't going to be moved." After the meeting, the executive director of the Consumer Federation, Steven Brobeck, told Greenberg that any further pursuit of the no-fault choice scheme "was not worth the fight with Nader." Greenberg concludes: "The consumer movement was not sufficiently mature to be part of the process of governing, instead of sitting on the side, shooting at it."

In 1985 the Senate Commerce Committee failed to report Kasten's bill out of committee when it was deadlocked on an eight-to-eight vote. Three senators switched from yes in 1984 to no in 1985, including Slade Gorton, Republican freshman from Washington, Daniel Inouye, and Republican Senator James Exon of Nebraska, who sent a proxy vote from his hospital bed. Leading the charge was trial-bar bulldog Fritz Hollings. In the face of that defeat, Senators Gorton and Christopher Dodd (D-Conn.) suggested an effort be made to adopt a no-fault choice system similar to Greenberg's and press harder for consumer support.

Meanwhile the trial bar was taking the battle to the enemy's turf, the insurance industry, traditionally one of the most effective lobbies on the Hill. Trial-bar ally and House Judiciary Committee chairman Peter Rodino of New Jersey set up hearings on whether or not the insurance industry's exemption from federal antitrust had caused

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the product liability crisis. Predictably, Nader and Bob Hunter of NICO were key witnesses. Shernoff's funding for NICO was paying off, Hunter's declaration of independence notwithstanding.

President Reagan finally threw his weight behind Kasten's newest no-fault choice bill in 1986. The Senate Commerce Committee passed it ten to seven. The bill's cap on court awards enlivened the opposition, particularly Senator Riegle, who said: "There's going to be a war on this issue." Hollings tried to stop the bill with a filibuster, but the Senate voted 84 to 13 in September 1986 to consider it. A second round of filibustering by Hollings sorely tried Majority Leader Robert Dole's patience. Concerned about bigger issues like tax reform, and mistakenly assuming the Republicans would retain the Senate after elections, Dole postponed the battle until 1987. Looking back, Victor Schwartz laments: "The Republicans and the business community are not good offensive players."

When the Democrats regained control of the Senate and archenemy Hollings became chairman of the Commerce Committee, tort reform looked dead. An even more confident trial bar moved its attack on the insurance industry into the Senate. There Senator Metzenbaum, a trial-bar crony who chaired the revived Antitrust Subcommittee of the Judiciary Committee, introduced a bill to repeal the insurance industry's antitrust exemption.

Still, by 1988 the Product Liability Coalition was on the rebound, with real action on the House side, owing mainly to efforts by moderate Democrats. House Energy and Commerce Chairman John Dingell of Michigan held hearings on two bills. One was a substantive reform bill sponsored by Congressman Ritter, the other a simple uniform product liability bill sponsored by Rep. Thomas Luken (D-Ohio). Luken's bill had forty-two co-sponsors and the unofficial endorsement of Dingell, but not of Democratic leadership, including new House Majority Leader Jim Wright, like O'Neill a lockstep trial-bar ally. A hostile Rep. James Florio (D-N.J.), chairman of the Consumer Protection Subcommittee, reported the bill out favorably, and it was passed in full committee by 30 to 12.

Now the consumer groups vehemently resumed battle. It was telling that the bill they opposed contained no real tort reform. Rep. Rick Boucher (D-Va.) tried to negotiate a compromise between the Product Liability Alliance and Gene Kimmelman of the Consumers Federation and Linda Lipsen of Consumers Union in the early summer of 1988. "The effort was to craft a standard of liability that would not deny the remedies that are available today through the tort system," Boucher says. After a number of meetings a compromise on a standard that would represent the average of the fifty states "was reached by all and sealed overnight," according to Boucher. The next day, however, Kimmelman and Lipsen "returned and said it was premature to reach a consensus and declined to support the compromise they had negotiated." Two sources close to the negotiations claim that Rep. Henry A. Waxman (D-Cal.) talked to Kimmelman and told him to back out of the agreement. Kimmelman, who reported the Waxman intervention story to Product Liability Alliance lobbyists, refused to return repeated phone calls to his office on this matter. Lipsen says she went back to her office and "was told by someone in charge that the agreement would be a net loss for the consumer." A spokesman for Waxman denies that he interfered in Boucher's compromise. Says Phil Chiliro, "The congressman does not think his role is to advise the consumer groups. They have to reach their own decisions." Waxman's explanation, like Lipsen's, is not convincing. Supporters of product liability reform say that Waxman has waged legislative guerrilla war on the mild Luken bill. Is Waxman, a tort reformer in Sacramento in the 1970s, now just another trial-bar lackey in Washington?

Later, the House leadership sent the bill to the Judiciary Committee, where Chairman Rodino took no action on it. Any doubts about Rodino's relationship with ATLA were dispelled when he retired and his chief counsel, Alan Parker, became the trial bar's chief in-house lobbyist on Capitol Hill.

Democratic senators like Ted Kennedy and Howard Metzenbaum have formed an alliance with the trial bar, which magnifies their own influence within the party and in Congress but forces them to wear moral blinders when party interests conflict with those of ATLA.

Kassebaum vs. Metzenbaum

A modest tort reform effort aimed at the light aircraft manufacturing industry has provided some fireworks. Since the onset of a crisis caused by excessive lawsuits (sometimes involving crashes of 50-year-old planes), Beech, Cessna, and Learjet, all in Kansas, have had to stop making most of their lighter aircraft. Kansas congressmen have sponsored legislation that would set a uniform federal standard for aircraft manufactures. In this battle the trial bar faces a passionate single-interest lobby, the General Aviation Manufacturers Association. GAMA's combative James Gormley says every time they make a little progress the trial bar's legions "come out from under the rocks" to play "dirty tricks" and wreak havoc.

Republican Senator Nancy Kassebaum introduced a bill in 1986 which was reported out of the Commerce Committee favorably, with heated opposition from Fritz Hollings, whom Gormley calls "a bastard who won't listen to facts." Like the bigger Kasten bill, it languished at the end of the 1986 session. After a two-year battle, it was favorably reported out of Hollings's Commerce Committee in 1988. It then went to the Judiciary Committee and Howell Heflin held hearings in his antitrust subcommittee without a further report. Senator Kassebaum brought it to the Senate floor as an amendment to a Metzenbaum bill at the end of the session. "Metzenbaum was faced with allowing a vote on the amendment or filibustering it," Gormley says, "and he chose to filibuster his own bill and destroy it."

Last year the aviation bill was again reported favorably out of Hollings's Commerce Committee, in spite of his hostility, and sent on to Heflin's Judiciary subcommittee, where it languished again. In June 1990 Kassebaum tried to get it passed as an amendment, this time tacked on to a bizarre blind-passenger bill sponsored by Senator Hollings. And, like clockwork, a troika of filibusterers sprang into action: Senators Metzenbaum, Hollings, and Joseph Biden (D-Del.). A motion was made for cloture to end their filibuster, but it failed by five votes. Senator Kassebaum is expected to try her amendment routine again before Congress adjourns in October.

On the House side, an aviation bill sponsored by Rep. Glickman has faced a rash of barriers laid by the trial bar via the House Democratic leadership. The first bill died when it was referred to Judiciary in 1986, but in 1987 Glickman and 200 co-sponsors rewrote it so it could be sent to the Aviation Subcommittee of the Public Works Committee. The Democratic leadership decided the bill would still have to go to a hostile Judiciary, as well as Energy and Commerce. After it passed out of Public Works on a 30 to 2 vote, it was sent to Florio's subcommittee of Energy and Commerce, where trial-bar pal Florio refused to report it out.

The Glickman bill was reported out of Public Works in the summer of 1989. Dingell, tired of the charades, decided not to move on it in Energy and Commerce until new Judiciary Committee chairman Jack Brooks did. So far this year he has not. Last year Florio was elected governor of New Jersey, reportedly with $700,000 to $1 million of trial-bar support in a campaign limited to $1.7 million total spending. The House is now waiting for the Senate to pass the bill, to put pressure on Brooks to release it from captivity.

With so few victories after nine years, Senator Kasten admits that the Product Liability Alliance could use some schooling in Machiavelli, but he thinks the businessmen-turned-lobbyists, now more attuned to political realities, are finally going on the offensive. He would like to see the Product Liability Alliance divide the community of attorneys into two camps and draw ostensibly independent consumer groups away from Nader's control. The overconfident trial bar may already be doing that for them. It is working behind the scenes to build support in Congress for a ban on protective orders in product liability suits. These orders, which prohibit public disclosure of information uncovered in pre-trial proceedings, are granted by courts in order to protect privacy, encourage full disclosure, and promote settlements. From the point of view of defendants, lifting of protective orders would only lead to more lawsuits. According to James C. Rinaman, Jr., president of Lawyers for Civil Justice (LCJ), recently set up by

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defense litigating attorneys, the ATLA campaign to limit protective orders "is their latest effort to create more litigation and artificially increase awards."

To build support for the cause, ATLA geared up a propaganda campaign that says court secrecy harms consumers. The *Washington Post* has swallowed it hook, line, and sinker. Barry Bauman of LCJ says *Post* reporters Elsa Walsh and Benjamin Weiser tell only the trial bar's side of the story. The two were feted at last year's annual ATLA meeting and received the Amicus Award for their series, which never mentions that the trial bar would stand to gain a windfall of new lawsuits from a ban on protective orders. To make matters worse, the *Post* series seemed "well orchestrated, so the trial bar could use the series of articles to launch their new program against protective orders," Bauman says. Right after it ran, Rep. Cardiss Collins (D-Ill.) introduced an ATLA-backed bill to limit protective orders (and a similar bill passed in the Virginia legislature). The *Post* ran an op-ed piece by ATLA President Russ Herman but reneged on a promise to run an opposing one by LCJ. This spring the Society of Professional Journalists took up the cause by cosponsoring a one-sided forum with the trial lawyers.

Lawyers for Civil Justice says banning protective orders would be an invasion of the right to privacy of the plaintiff and would lead to a land-office-type business in buying and selling information in court documents. Bauman says the claim that the public interest is compromised by secrecy in protective orders is a sham: judges already have the discretion to prevent keeping secret any information that is harmful to the public.

Kasten would also like to divide the consumer groups from Nader, which may be hopeless. But something equally effective appears to be afoot: the consumer groups are losing credibility on Capitol Hill. Consumer lobbyists met a hostile reception in May when they showed up to testify in hearings on the latest Kasten bill before the Senate Commerce Committee. The bill, still one of genuine tort reform, is a magnet for Nader's ire. Before the hearings Nader sent the major supporters of the bill, including Senators Kasten, John Danforth (R-Mo.), and Rockefeller, letters accusing each of supporting product liability reform in return for campaign contributions from major corporations. It was the height of hypocrisy, considering Nader's heavy reliance on trial-bar donations. Senator Rockefeller was outraged: "I've never had to worry about money a day in my life."

Sparks flew when Lipsen attacked testimony by the Monsanto Company before it had even been delivered. It had apparently been leaked by Hollings's staff. Monsanto was to testify that they have been unwilling to bring to market a substitute for asbestos because of uncertain liability standards. Lipsen began to discredit the Monsanto testimony, reportedly distorting the record on tests of mice exposed to the new product. "It was a dishonest misreading of the test results," says Kasten.

The senators had had their fill of Naderite tactics. Senator Rockefeller asked Lipsen pointedly, "Don't you receive funding from the trial bar?" Lipsen was shaken, though Consumers Union does not receive support from the trial bar. "We're completely independent. No one has a right to question our integrity," she says. But her mindless support of Nader positions has sullied Consumer Union's reputation and made it indistinguishable from the Naderite organizations. Senator Danforth made a more direct challenge to Naderite Dr. Sidney Wolfe of Public Citizen Health Research Group, by quoting Wolfe as having admitted that his group accepted money from trial lawyers. "You are lying, Senator," shot back a furious Dr. Wolfe. That's no way to win favor in the Senate, Sid.

Is there any chance of breaking the stranglehold of the trial bar over Congress? There are hopeful signs. A revolt is building in both the Senate and House to the Democratic party leadership's stifling of the congressional majority. The American bar is beginning to divide into warring camps. The consumers groups are losing credibility. And the Product Liability Alliance is growing more optimistic by the day.

O'Connell says the supporters of federal tort reform need to strike a blow for consumers to win the battle. They can do this with the no-fault choice system. "The choice system puts the trial bar on the defensive. They have to argue that no-fault is so bad that no one should be allowed to have it if they want it—and that's not a winning argument." Congress could revive auto no-fault and the two groups could join forces. Finally, tort reformers could lead a campaign to have trial lawyers' contingency fees regulated. Congress or the Bush Administration could ask the Federal Trade Commission to consider requiring trial lawyers to advertise contingency fees, increasing competition and driving down fees.

Much is at risk. Until Congress can shake itself loose from the clutches of the all-powerful trial bar, American democracy will continue to lose ground to a government of the lawyers, by the lawyers, and for the lawyers. □

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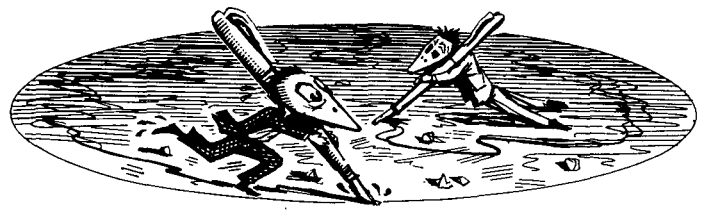


MISSION TO MALAWI

by Joseph R. Gregory

Lilongwe, Malawi

It's almost noon on a Saturday at the U.S. Information Center here, where a two-week-old video of ABC News is drawing a big crowd. News of the outside world is hard to come by in Malawi, a landlocked country in southern Africa that's about as remote as it's possible to be in the Jet Age. When I told my friends in the States I was going to tour the country by bicycle, most said, "Gee that's great!" then asked where it was. But why should they know? Plenty of folks among the 7.5 million people here gave me the same polite, never-heard-of-the-place smile when I told them I come from New York.

A hush fills the room as the audience, more than a hundred locals with a smattering of expatriates—mostly aid workers—take their seats. The bearer of evil tidings, in this case Peter Jennings, begins in solemn tones with a report on the rising death toll from an earthquake in the Soviet Union. The screen shows a montage of broken buildings and weeping survivors. The audience titters.

Another story flashes on the screen. Back in the U.S., a mass murderer has been put to death. As the screen shows the hearse containing his coffin passing through prison gates a wave of chuckling ripples through the room. The next item, a special report on a California sniper who shot several children, draws big belly laughs. Now, I'm a culturally sensitive person. I remove my shoes at mosques, don't pat Asian kids on the head, and never, never butter my baguettes in Paris. But I must admit that I find the native optimism in the face of the world's catastrophes disturbingly upbeat. Tomorrow I'm to set out alone on a mountain bike through a land where people smile at disaster and laugh at death. As the audience sobs with mirth I reflect, not for the first time, on how wrong Walt Disney was: It's *not* such a small world after all. I hum a few bars of the song and laugh too.

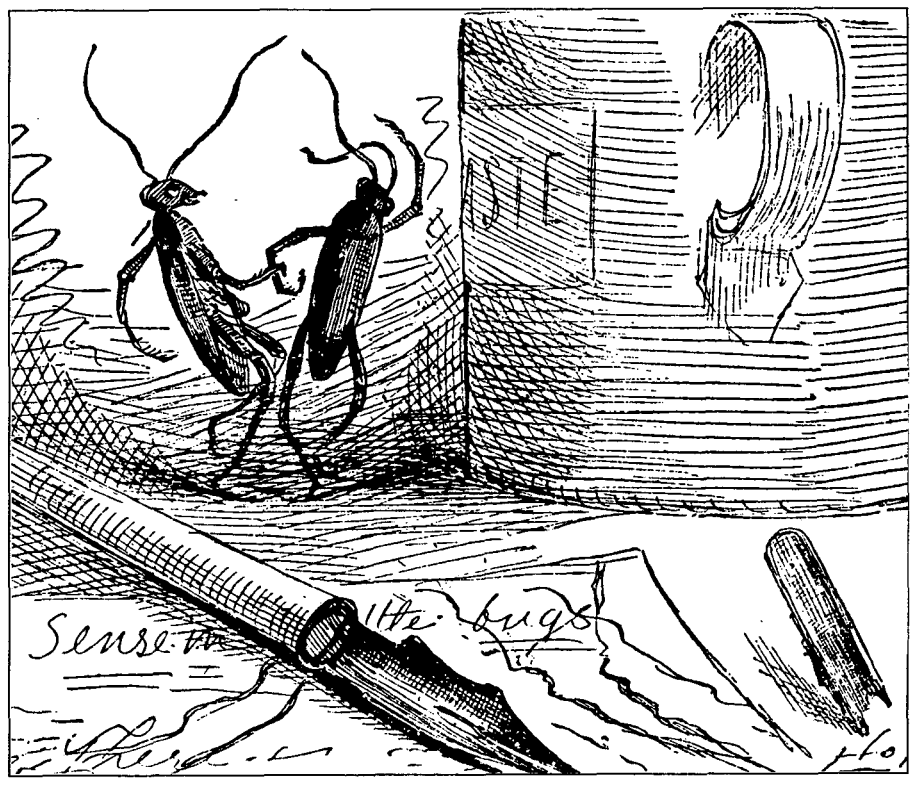
"When I tell people I've never seen anyone shot on the street back home they simply don't believe me," my host, an American aid worker who's lived here for nearly two years, tells me after the news. Except for the privileged few who've traveled abroad, most Malawians simply don't have the frame of reference to relate to the strange happenings of the *mzungu* world. *Mzungu* means "foreigner" in Chichewa, the dominant language of the tribes in southern Malawi. Not that *azungu*, the plural form, are all that rare here. But they generally keep to the cities, game parks, and beaches of Lake Malawi, the continent's third largest lake. Still, *azungu* behavior isn't predictable. Some say the word itself is related to the verbs *kuzungulira*, which means "to go around," and *kuzungumutu*, "to be crazy." My plan to bicycle 100 miles from the capital city of Lilongwe to Senga Bay and then head south along Lake Malawi reinforced both these images.

"Malawians often laugh when they are embarrassed or puzzled," my host explains. "Out in the bush, they'll probably laugh at you too, won't they, Lyman?"

"Oh no, sir," says Lyman, his chief servant. "Maybe in the old days. But now the people see many foreigners. They will take no notice."

"*Mzungu! Mzungu!*" the children cry, running from mud huts to point and gape as I bicycle past their villages. Many shout the only English phrase they appear to know. "*Mzungu, mzungu*, give me ten tambala!"

On the road to the great lake you see many women carrying 50-pound bags of maize upon their heads, sorceresses hawking love potions guaranteed to bring back an errant husband, and witch doctors exhorting against evil spirits. But nothing draws a crowd like a close encounter of the *mzungu* kind. The road, a one-lane strip of ripped up tarmac, is busy with pedestrians, all moving with the same loping, somnambulant gait. The pace seldom changes, even in the face of the occasional careening truck. But as I pedal by everyone perks up. In some places people line the road as if watching a parade, the older children calling for money, the toddlers cowering behind their parents. Mothers tell their children that if they misbehave, *azungu* will come and gobble them up.



All countries have their ideas about foreigners and this one, which the World Bank ranks among the world's ten poorest, is no different. Four centuries after Portuguese explorers first came here, Westerners are still regarded with amusement, awe, and incredulity. Many Malawians think of them as carefree, eccentric, and not quite human. They also think most *azungu* are ugly and all of them are rich.

"The average Malawian doesn't think Europeans feel hunger or pain, or have any problems," a Catholic priest who's lived here for twenty-three years told me. "He thinks money and the good things in life come by themselves, that the European doesn't have to work for them."

A Chewa legend tells of a woman who commits some unspecified crime and gives birth to a deformed child—born with a head and no body. She nurtures it under the watchful eye of her brother, who notices that at night the mouth opens and a European emerges, complete with *azungu* accessories—car, refrigerator, and TV.

Perhaps it's because *azungu* have all these marvelous possessions that they are considered weak and lazy. After all, they can't walk for miles with heavy loads on their heads or perform the simplest household chores without the aid of fantastic devices.

I certainly fit the stereotype. Even with the aid of a sturdy mountain bike, I'm bushed after six hours on the road. Fifty miles from Lilongwe, I struggle up the last long hill toward a government grammar school where I plan to spend the night. My hosts, two American teachers, aren't expecting me. But hospitality in Malawi tends to be informal. Besides, I come bearing several half-pound bags of M&Ms, a pleasant alternative to fried termites—a crispy

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regional snack. Chocolate here is much more costly than bottled beer or an entire evening with a bar girl. But that isn't surprising in a country where kids ask passing *azungu* if they'd like to buy field mice kebabs.

The two teachers, women in their early twenties, had heard through the grapevine that I might stop by. They live in a house on a hill at the edge of the school grounds, overlooking a broad valley. There's no running water or electricity, but they've each got their own room.

The M&Ms are a smashing success. So is dinner—beans and rice served in tin plates in their small living room. One of the women, Joanna, is from Chicago and has only been in the country a couple of months. She says she's beginning to get used to being one of the few *azungu* for miles around. It's well past eight o'clock before they say goodnight, take their flashlights, and retire. I spread my sleeping bag on the couch, get inside, and blow out the candles.

A scream rips the night like a howl from hell. Joanna bursts from her room, shouting something about the wall. The other girl rushes in and tries to comfort her. "I can't stand it," Joanna sobs. "I just can't stand it."

The bedroom door is ajar. I take a flashlight and peer inside. At first I don't see anything. Then I notice something odd about the wall. It seems to be undulating, as though there were a living thing inside it. I move closer with the flashlight.

Eeeek! Bugs! Bugs flow down the wall like a waterfall, fanning out across Joanna's desk and spreading onto the floor. They're munching on the rafters and on a pile of papers on the desk. I step outside and close the door.

"Termites, they're termites," Joanna says between sobs. "They're eating all the homework I have corrected."

I take a can of pesticide and spray the room with thick bursts. For the termites, it's Apocalypse Now.

And so to bed.

In the morning a servant came and swept the dead bugs away. Outside it was raining pretty hard. I waited all day but it didn't let up. The next morning it was still raining, but I decided to push on for the lake anyway. The rainy season had begun in earnest, and it turned out to be one of the worst in years, ruining crops and flooding roads. Five days later I put aside the bike to travel by thumb, bus, and rented car. Further south things were much worse. Later that year there was an earthquake; then a cyclone struck, leaving 80,000 people homeless.

I would have said it was bad luck. But a Catholic priest who put me up for a night at a mission hospital deep in the bush told me that many Malawians don't believe in bad luck. They put much more stock in witchcraft. Not long ago, he said, a man was accused by fellow villagers of deliberately delaying the start of the rainy season in order to finish repairing the thatched roof on his home. There was a drought and he was blamed. In addition, several bones, said to be those of children, were unearthed near his house. Charged with witchcraft and cannibalism, he was tried by being forced to eat a plate of hot piri-piri peppers. He died, thus proving his guilt.

The bones probably belonged to a goat. In all likelihood, said the missionary, the man's real crime was that he had somehow failed to fit in with the community. In Malawian society group harmony counts far more than personal happiness and individualism is frowned upon. It is considered ill-bred to draw attention to oneself by committing such vulgarities as, say, doing a better job than one's co-workers. Women keep an even lower profile than men, but among the southern tribes they make the decisions about children, food, and money management. Even a village chief often can't act without consulting his mother and sisters, and frequently serves only as their mouthpiece. When a man marries he goes to live in his wife's village where, as an outsider, he must be careful. He can't be too forward in making suggestions, yet "he faces the dilemma of trying to prove himself because he is a stranger," the missionary said.

Given this attitude toward outsiders, it's not surprising that *azungu* are often treated with polite, affable mistrust. Indeed much of what foreigners say here is taken with a grain of salt. Some villagers believe, for example, that a government campaign against AIDS is really just an *azungu* ruse to encourage birth control and to keep people from enjoying sex. Others acknowledge that the disease exists but it can be prevented by wearing the bark of a mango tree.

Azungu may give faulty medical advice, but they're an excellent source of names. Malawians change their names as often as you change your shirt. Aid workers tell the story of one American volunteer who left an automobile manual in a rural village while there on a job. Returning a year later, he met infants named Master Cylinder Kanyama and Brake Shoes Komoni. The story may be apocryphal, but another foreign teacher compiled a list of names his teenage students chose for themselves: Master Pencil Chibonga, Mary Engines Soko, Kidney Chimenya, Happy Holiday Simwaba, Snow Mzoma, Texas Hardwack Fusilani, and Nature Study Nsunza.

Young people add to their status by having many nicknames. So do older Malawians. The country's leader, His Excellency, Life President Hastings Kamuzu Banda, is also known as the *Ngwazi* (powerful one), or just plain "H. E." for short. H. E., who is believed to be about ninety years old, was educated in the U.S. and practiced medicine in London. After more than three decades abroad he returned to what was then the British colony of Nyasaland to lead the battle for independence. He's run Malawi—the Land of Fire—since 1964 and is credited with earlier providing relative prosperity and stability. But no criticism of the government is permitted, and news about the country is very difficult to get, especially when you're within its borders. Dr. Banda permits few journalists to enter the country. Most of the people I talked to asked me not to use their names.

The *Ngwazi* has crushed all opposition and hasn't named a successor. Now, with his term of office drawing to a close, the big political question is who will succeed him. Foreigners here

Crisis on America's campus

Free inquiry is being suppressed in America's universities. The free exchange of ideas, the honest debate, the search for truth are under assault.

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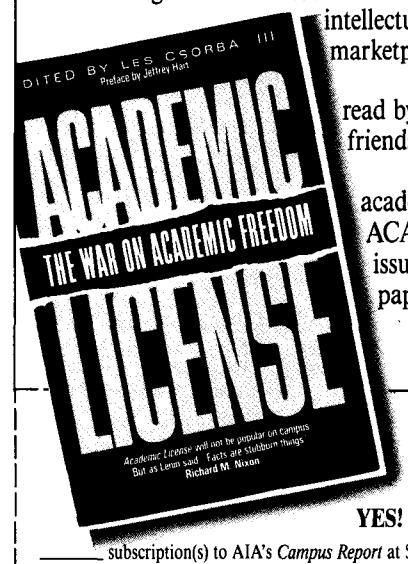
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are hesitant to speak openly about Malawi's future, but most everyone agrees that even harder times lie ahead. The average life expectancy is forty-five for women, forty-three for men. Infant mortality is 151 out of every 1,000 births and 33 percent of all children die before the age of five. The past few harvests were poor and food supplies have been further depleted by the arrival of thousands of refugees from the civil war in neighboring Mozambique. But despite the poverty, Malawians are most generous to strangers in need.

I experience this generosity firsthand as an overnight guest in the village of a farmer named Daniel Moyo. The villagers can't take their eyes off me as Mr. Moyo puts the two chairs he owns in the middle of the courtyard formed by the family's three mud huts. His wife, six children, and a dozen neighbors sit on the porch staring at me, laughing. The chief arrives, dressed in a polo shirt and dark blazer. He chuckles as we shake hands, then sits in the other chair, legs crossed, staring at his shoes. No one speaks. Although the younger adults seem to know some English, etiquette doesn't require small talk. There is no electricity, but in my honor a radio is played throughout the afternoon, even though batteries cost roughly half the average monthly salary of forty *kwacha* (about $15). Among other things, the station broadcasts one of the *Ngwazi*'s innumerable speeches, a song by Freddy and the Dreamers, and a Muzak rendition of "Born Free." Dusk, dinner, and bedtime are hours away.

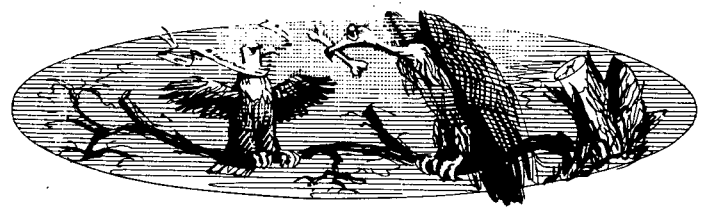
To liven things up I produce a balsa wood glider I keep for such emergencies, assemble it before the curious children and astound everyone as I throw it into the sky. They stand in awe as it loops over the cornfield and swoops down to a perfect landing beside the thatched three-room hut where the Moyos sleep. One boy picks it up but Mr. Moyo's son, seven or eight years old, grabs it, pushes him away, and launches the plane tail-first. It crashes at his feet. After a while, they get the hang of it but then the plane cracks up. For my next act, I juggle three stones. The crowd loves it.

Before dinner, we share a carton of *chebuku*, the local beer brewed from maize that tastes like sour milk and leaves chunks of matter in your teeth. Then I'm served a piece of chicken and a massive portion of *ensema*—steamed cornflour and water that looks and tastes like a giant lump of Cream of Wheat. Mr. Moyo places the chicken's trunk, still containing some internal organs, on my tin plate. I put it back on his, saying he should have it. He puts it back on mine, insisting I take it. I return it, explaining that I haven't been working as he has and am not very hungry. "But you are so big," he says, "You must eat." Most *azungu* tower over the Malawi men, whose average height is about 5 feet 7 inches. I get a flash of inspiration. "Can I have it for lunch tomorrow?" He seems pleased as his wife wraps it in brown paper. The children gobble the remains of the meal.

At bedtime the Moyos unroll a straw mat on the dirt floor of my room and bid me goodnight. I roll out my sleeping bag, light a slow-burning mosquito repellent and read by candlelight. A bug stings my neck. I crush it to death in my fingers, not because bugs spread disease but because I hate bugs. I blow out the candle, lay on my back, and hear something scurry across the floor. I hope it's a field mouse rather than a rat. I wonder if black mamba snakes ever crawl inside the hut.

From this vantage point it's easy to see the appeal of the Chewa legend about the European who emerges from the mysterious head each night with all his marvelous possessions. According to that story, the stranger disappears each dawn. But one night, the woman and her brother resolve to catch him. Trapped, he kisses them both, turning them into *azungu* too. The woman marries the stranger and they live happily ever after. □

THE NATION'S PULSE



BE COOL

by Benjamin J. Stein

You wouldn't want to venture into what's left of the Amazon jungle without knowing which snakes are harmless and which similarly marked ones are poisonous. You wouldn't want to travel to Tibet without knowing which phrases allow you to visit the inner sanctum of the Dalai Lama's palace and which ones lead you before a firing squad.

By the same token, you would not want to come to Hollywood and stand out as a lame, losered-out wannabe, would you? To save you that embarrassment, here are ten acts or appearances, things to look like or to do, which must be avoided at all cost. Ignore this list and you run the risk of becoming a pretension victim, a geek in the land where only cool counts:

• Carrying or talking on a hand-held cellular phone at any time within the borders of Los Angeles County. Brands you as a loser trying to look important. Also identifies you as so insecure about your status that you must stop everyone within schmoozing distance and tell him you can afford a cellular phone (cost: about $300). Most egregious example ever seen: a novice producer carrying one at the bedside of his girlfriend who was critically ill in Century City Hospital. Screams: "*I don't care if you do have a brain tumor! I have to look like someone might need to call me!*"

• Wearing a "dork-nob," a ponytail coming off the back of the head of a balding, usually fat middle-aged man. Cries out that he is uneasy about his age, his hairline, his masculinity. A visual equivalent of wearing a sign saying, "Kick me. I'm old and can't adjust to it." Pity this person, but don't imitate him.

• Customizing a Mercedes in any way at all. Having custom gold lettering that says "560 SL" instead of the factory chrome was hip in Tehran back in the Shah's day, but it doesn't play on Sunset Boulevard. Having your 420 SEL lowered looks righteous in Chihuahua, but it's Creepsville here. Stay well away.

• Coming anywhere near a yacht-sized white stretch limo for any reason at all. Might be cool for the Hacienda Heights High School Senior Prom, where you've saved up all that money from working at the Burger King, but a social disaster in Bel-Air or Malibu, where, except on checks, less is more.

• Yupsters or middle-aged lawyers riding Harleys and wearing the Harley insignia (often while carrying hand-held cellular phones). Again, a futile effort to escape the ravages of age and class. Sorry, guys. You're not fooling anyone, and the real bikers don't think it's funny.

• Women wearing anything with the Louis Vuitton insignia. This is still hot stuff in El Barrio and maybe in New York, but among those whose lives define hip, it's a raging joke, twenty years out of date, even among those who need brand status and those interlinked Cs—as bad for women as dorknobs are for men.

• Wearing sweats or leotards anywhere outside the gym. Very cool when Jimmy Carter was President, but now an attempt by typists and casting assistant directors to look athletic and not fun to be close to.

• Cowboy boots on grown men who are not cowboys. Speaks volumes.

• Being high on drugs in any public place. Totally out of date. Completely a sign of an undisciplined life. A slender, muscular body was the status symbol of the 1980s. A sober, drug-free life is the nonpareil status item of the 1990s. Likewise, the offer of drugs is almost unimaginably uncool, an offer, basically, to spread a communicable disease.

• Ever, in any circumstances, volunteering how much you got paid for your last picture or screenplay or any other effort. Shows a pathetic need to impress, as well as an attitude that money is your Higher Power. If someone at your table at Zooma Sushi starts to do this, pretend you have a headache and leave early.

Now you know. Now you can be safe. Watch this space for updates. □

Benjamin J. Stein is a writer and producer in Hollywood.

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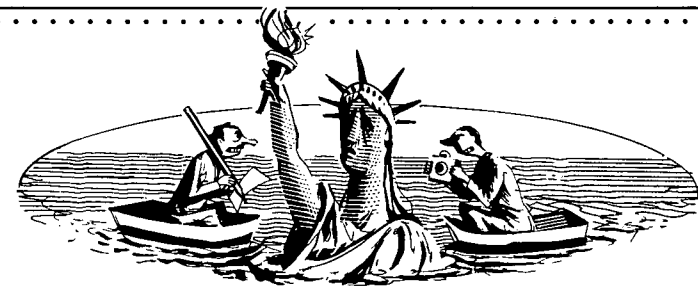
PRESSWATCH



THE NEW INTOLERANTS

by Terry Eastland

In its July 9 edition, *Time* reported that Louisiana had passed "the nation's most restrictive abortion law." Restrictive? Of what? *Time* meant that the law would restrict the right of a woman to have an abortion. But Louisiana abortion opponents argued that the law would *protect* human life—that of the unborn. *Time*'s choice of adjectives clearly favored abortion rights. The magazine certainly flunked the neutrality test.

But *Time* was not alone. In a remarkable four-part series on media treatment of abortion, David Shaw of the *Los Angeles Times* reports that almost all media, print and broadcast, have used the adjective "restrictive" in describing anti-abortion legislation introduced in state legislatures over the past year.

Shaw's series appeared the same week as *Time*'s abortion story. It's too bad the magazine didn't have the benefit of his analysis beforehand. Shaw asks: "Wouldn't the word 'strict' be more value-neutral since the legislation would be 'strict' both in its protection of the fetus *and* in its restriction of the woman?"

Shaw's newspaper has adopted his recommendation. It also seems to have changed minds at the *New York Times* and the *Washington Post*. These newspapers now go with "strict" and its comparative and superlative forms. Other media organizations, including CBS Evening News, are mulling the change.

Shaw's series is not merely about the language in which the abortion story is reported; it is a comprehensive treatment of the journalism on abortion—as thorough as any done by any news organization, a welcome if rare demonstration of the press's own ability to scrutinize itself without fear or favor. Shaw examined major newspaper, television, and news magazine stories and editorials over the past eighteen months, and conducted more than a hundred interviews with journalists and activists on both sides. His bottom line: the media are biased in favor of abortion rights.

The bias shows up in lots of ways, not just the terms in which the issue is reported. Abortion-rights activists are quoted more frequently and characterized more favorably than their opposite numbers. Events and issues favorable to abortion opponents are sometimes ignored or given minimal attention. More prominent play is given to stories on abortion-rights rallies and electoral and legislative victories than to stories on the same kind of events on the anti-abortion side.

Shaw's findings aren't surprising. Two major media studies have shown that 80 to 90 percent of U.S. journalists favor abortion rights. The American Newspaper Guild, which represents news and editorial scribes at many of the major newspapers, has endorsed "freedom of choice." Reporters from the most prestigious news organizations have marched in abortion-rights demonstrations, but none has been sighted at a pro-life rally.

Shaw says the media "have generally, if implicitly, accepted the abortion-rights view that there is no human life to be 'helped' before birth." Asked why she instructed her staff to avoid the word "pro-life," a Michigan editor told Shaw: "We decided the issue was one of choice, not when life began." And consider this *Washington Post* sentence reporting (so to speak) an anti-abortion vote by the Louisiana legislature: "The decision yesterday on a woman's reproductive rights was made by an almost all-male legislature. Of 105 representatives in the House, three are women. All three voted against the bill." The *Post* story ran on June 15, more than a month and a half after that newspaper's virtual non-coverage of the large Rally for Life in the nation's capital last April 28.

The bias toward abortion rights seeps into coverage in ways not immediately obvious. When the networks present an abortion story, the backdrop often is the large word "abortion," with the first *o* in the word stylized into the biological symbol for female. Yet Shaw observes that "the networks could just as easily stylize the *o* to represent a womb, with a drawing of a fetus inside." Or consider that the media often characterize those completely opposed to abortion as against it "even in cases of rape or incest." As Shaw notes, the media almost never refer to those completely in favor of abortion rights as for it "even in the final weeks of pregnancy." Or, I might add, as for it "even when the baby could survive outside the womb."

Shaw's series points to, though it does not really describe, a *Weltanschauung* shared by a majority of journalists. This world view includes not only a belief in abortion rights but also a libertarian fetish that distorts coverage of issues involving free speech and expression.

Consider, for example, treatment of the effort to amend the Constitution in order to enable Congress and the states to prohibit flag burning. Consistently the issue was portrayed by the media in terms that most legislative opponents of the amendment desired—namely that it was an "unprecedented" attempt to alter the Bill of Rights. Reporters (and editorial writers) in effect transmitted the view—not true—that the First Amendment means today what it meant 200 years ago. In vain I searched for the story that would have acknowledged that the meaning of the First Amendment (not to mention the Bill of Rights) has changed since early in this century. Changed, I should add, by judicial decree, in decisions such as those of the Supreme Court on flag

Terry Eastland is resident fellow at the Ethics and Public Policy Center in Washington, D.C.

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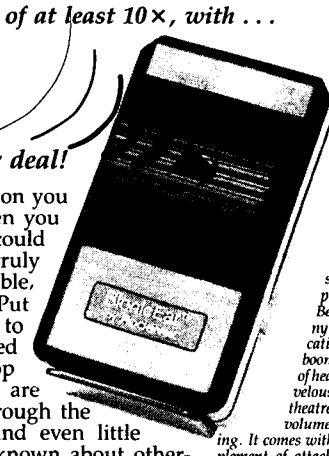

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burning this summer and last. Whatever one's view of the flag amendment —and I thought it a bad idea both times—journalism should have provided some historical and constitutional background.

Instead, the best it could do was provide some political context. *Newsweek*, for example, saw the flag amendment as part of "the new realpolitik," as one of those "values" issues that replace "serious" issues (budget deficits, educational decline, military spending). *Newsweek* did include a quote from Pat Buchanan to the effect that there is a "culture struggle" between college-educated liberals and the "people who can't comprehend why the flag can't be protected." But the magazine didn't lean on that open door of inquiry. Doing that would have upgraded the flag-burning controversy to the "serious" category. Just as, in David Shaw's words, "most reporters don't identify with abortion opponents," so do they not identify with flag-amendment proponents or, more to the point, even appear able to fathom their cultural concerns.

Consider *Newsweek*'s recent cover story on art and obscenity. Taking note of the Cincinnati obscenity trial (over display of Robert Mapplethorpe's work), the Florida obscenity ruling against music by 2 Live Crew, and the controversy over the funding and future of the National Endowment for the Arts, senior writer Tom Mathews divided the world into artists and "artbusters." While the artists were artists only and their expressions of art unproblematic, there were synonyms galore for those artbusters: "new intolerants," "morals squad," "rubes," "righteous," "bluenoses," "stiff-necked moralists," and "new moral watchdogs." There was no effort to ask whether there might be cultural problems more serious than those suggested by the labels the magazine used so freely in keeping with its libertarian fetish. The "new intolerants" apparently must learn to shut up, and to understand that free expression now requires taxpayer support of religious symbols, so long as they have been marinated in urine.

Cardinal John O'Connor wrote this summer that politicians who claim to be good Catholics and yet persistently support abortion rights "must be warned that they are at risk of excommunication." And then all media hell broke loose, especially in New York, where Mario Cuomo is both a governor who supports abortion rights and a Catholic who claims he is personally opposed to abortion. The media swarmed around the Archbishop, quitting their inquiry only upon finally extracting his confession: "I have never threatened to excommunicate anybody."

A major problem with the O'Connor story was that it only concerned O'Connor. There was also a story to be written about Mario Cuomo, but the media took a bye. The Cuomo story wouldn't be hard to do. It's standard journalistic fare, about integrity. To wit: How can someone who professes to be a good Catholic and personally opposed to abortion fail to do anything in his public capacity to limit abortion? Is Cuomo really opposed to abortion, as he says, or is he misrepresenting himself to the public?

In the course of things, the *New York Times* editorial page took unfriendly aim at O'Connor, convicting the Archbishop of violating "the constitutional comity between church and state" by imposing a religious test for public office. As Tom Bethell reported in the *Wall Street Journal*, this sentiment was quite different from one the *Times* expressed in 1962, when it applauded the Archbishop of New Orleans for excommunicating three Catholics leading the rebellion against a decision to integrate the church schools in that city. About the only way to reconcile the 1990 editorial with its 1962 forerunner is to say that an archbishop may excommunicate a private citizen but not a politician. But that doesn't work. On what principled basis can the Catholic Church be asked to treat its communicants differently?

The truth of the matter is that the *Times* wants the Catholic Church to butt out of politics when it questions the liberal agenda. And the newspaper's idea about constitutional comity provides solemn cover for its belief that conservative religion should be banned from the public square. In case it has to be pointed out, at issue in the O'Connor case is not the old (pre-1964) notion of the sacral state, in which the government must submit to the church's authority, but the church in its relationship with its own members. And under the Constitution, priests (and shepherds of other flocks) are free to discipline their parishioners, politicians included. Of course, whether they should do so, as a matter of prudence, in any given case, is another matter. But their freedom to discipline is quite clear, and well within our constitutional order.

On July 1, the editorial page editor of the *Philadelphia Inquirer* expressed the spirit of the *Times*. David R. Boldt composed a column in which he, well, excommunicated the Catholic Church. He said it is "un-American." I kid you not. Now just who, Presswatch reader, are the "new intolerants"? □

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SOVIET PRESSWATCH

DEATH AND DESPAIR

by Cathy Young

In a recent letter to the youth daily *Komsomolskaya Pravda*, one reader took a bold and defiant stand: he was happy to have been born in the Soviet Union. Yes, he acknowledged (with tongue at least partly in cheek), life abroad is much more prosperous and all that, but where else is there room for such tremendous improvement in people's lives? And, most important, where else will you find such drama, such excitement?

In that respect, indeed, Soviet citizens have never been richer. For instance: *Sovetskaya Kultura* of May 26 reports that Moscow alone now boasts six democratic parties. One could say, of course, that over here we have plenty of fun with just one. But, to quote a Pontiac commercial, want *real* excitement?

Some Kind of Hero

A recent Soviet newspaper item reminded me of a bit of underground doggerel I heard as a teenager in Moscow, translatable, roughly, as follows:

Grandpa found a grenade in a field near the city.
He took it and went to the Party committee.
Right through the window he threw it in there . . .
Grandpa's had a long life, so what does he care?

Next we turn to *Komsomolskaya Pravda*'s guest page in the *Pravda* of May 24, featuring letters in response to a February 1 *KP* article, "A Political Boy," which had profiled 17-year-old Eduard (Edik) Chaltzev, of Gorky. According to the editor's note, Chaltzev tried on his own to understand the root causes of the dreadful misfortunes of our country. In the belief that the Communist party and the Communist idea itself were to blame for it all, he expressed his protest last summer by throwing two Molotov cocktails through the window of the regional party committee. Chaltzev was convicted. After the publication of our article, the chief prosecutor of the region filed a brief of protest with the court. Chaltzev was given a suspended sentence and was released after eight months of imprisonment.

Komsomolskaya Pravda offered those of its young readers *whose ideas and attitudes are in tune with the hero of the article* to start a Political College in its pages [emphasis mine]. The kids enthusiastically endorsed the suggestion.

Let us pause to let this sink in. A newspaper officially published by the Central Committee of the All-Union Lenin Communist Youth League appeals to soulmates of a young man guilty of a terrorist act against the Communist party.

The letters, says the editor's note, numbered over a thousand. One writer, 15-year-old Marina, says she was "shaking with hatred and joy" after reading about Edik Chaltzev's act of protest. "I do not believe in Communism," adds Marina.

A Lenin–Peter the Great Ticket

What *do* Soviet people think of the Communists these days? One of the many polls attempting to find out was conducted late last year by *Rodina* (Motherland), the new, mildly nationalistic general-interest monthly. Its questionnaire was answered by more than 7,000 readers; while such a survey is not, strictly speaking, scientific, the respondents do come from a wide range of social classes, from academicians to factory workers.

Fifty-three percent believe that if it hadn't been for the 1917 Revolution and the ensuing slaughters and social experiments, Russia would now be on

Cathy Young is the author of Growing Up in Moscow *(Ticknor & Fields).*

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a par with the world's leading powers; 57.2 percent regard the Civil War of 1918-1922 as "a tragic mistake" and 24.9 percent as an outpouring of "the bitterness and irritation stored up in society over centuries"; 29.6 percent view those events as "an inevitable conflict between the new and the old" and a mere eight percent as "just popular vengeance against the exploiters" (more than one response can be selected). Almost 56 percent regard the execution of the Czar's family as a "crime that has no justification," and only 4.6 percent agree that "the Czar and his family suffered a harsh but just punishment and this issue ought to be left alone."

And what of the Bolsheviks of seventy years ago? To 37.3 percent, they are "patriots who dreamed of a better future for the people"; to 36.7 percent, "honest but embittered and ignorant people"; to 34.7 percent, "avengers who punished guilty and innocent alike"; and, to 3.7 percent, "heroes and defenders of the disenfranchised." The anti-Communist Whites are seen in a largely positive light: by 60 percent, as "people forced to defend themselves, their loved ones, and their world," and by 29 percent, as "patriots fighting for national dignity, honor, and traditions." Only 12 percent said the Whites were "oppressors fighting for their capital and privilege."

As for the present, asked who should play the leading role in Soviet society, a puny 7.4 percent said the CPSU; the president got even less (2.3 percent), trailing "the working class" with 4.4 percent and the Orthodox Church with 2.9 percent. The big winners: "The will of the people expressed through a referendum" with 47.9 percent, and the "Congress of People's Deputies" with 33.1 percent.

Nonetheless, asked to choose from a list of historic leaders for whom they would vote if their names were on a ballot, 59 percent named Lenin—possibly an indication that the image of the wise and compassionate Lenin instilled in Soviet people since childhood will not easily fade, or that the Gorbachev-era campaign to portray Lenin as someone who tried to curb the excesses of Communism has worked. However, 34 percent did cast a vote for Peter the Great.

Blood Money

Over the past few years, there has been some debate in the West over the propriety of people selling off their body parts for transplants. Such a practice is often viewed with horror as the epitome of capitalist greed and exploitation. Meanwhile, in Leningrad, reports *Moscow News* (May 27), blood donors receive coupons entitling them to buy rare goods, such as white kidskin gloves, German-made pantyhose, Italian shoes, and a teakettle with a whistle. *To buy*, mind you: they still have to pay, and stand in line for five or six hours *after* giving blood (the coupons are valid for one day only). Evidently, Leningrad is not the only Soviet city to try this bold approach to chronic shortages of goods. In Kazan, blood donors get coupons allowing them to buy an imported chicken. A kidney for a car, anyone?

The Soviet Way of Death

To continue on a macabre note, an article by Alexander Ryskin in the first issue of *Megapolis-Express*, a weekly launched in May (new Soviet periodicals are multiplying like rabbits these days, and it is often hard to find out anything about the people behind them), reminds us that glasnost has shed no light at all on at least one aspect of the Soviet legal system: the carrying out of death sentences. While Ryskin makes no secret of his view that the very idea of capital punishment is "savage and inhumane," one does not have to be Mario Cuomo to be appalled by the picture he paints.

"Strangely enough," writes Ryskin, "I had no difficulty obtaining fairly exhaustive information about the procedure of execution in the U.S." or about American death penalty statistics. "Yet when it came to the USSR, I was facing impenetrable secrecy." It turns out that even most staffers of the Ministry of the Interior, which is in charge of executions, have no access to any of the relevant documents: "Only a small number of individuals directly involved in executions, and the bosses at the very top, possess such knowledge."

No one knows how many death sentences are carried out daily or monthly, or what rules regulate the procedure. The bodies of the executed are not returned to their families but buried secretly. In the absence of facts, says Ryskin, fantastic rumors about "the way it's done" abound. Some say that the condemned are shot without warning, while being led down the prison corridor under one pretext or another, or at dawn when only half-awake. It is also rumored that the reason the bodies are not returned to the relatives of the condemned is that the executioners are "out and out sadists. And they do such things that it is best for no one to look at the bodies afterwards." (An aide to a deputy minister of the interior had a brilliant answer to Ryskin's question about the bodies: "So what? It's not just those who've been shot—even the bodies of those who die a natural death in the penal colonies are not returned to their families, except by special permission of the local authorities.")

And the Soviet condemned aren't necessarily Ted Bundys: the laws of the USSR still retain the death penalty for large-scale bribery, embezzlement, or "profiteering"—enterprise, that is.

Onward, Christian Soldiers

While liberal Soviet intellectuals have found common ground with their American counterparts on the issues of criminal justice and the death penalty (they agree on little else), the nationalistic Russian ultra-right seems to have found an American ally as well. A brief item in the May 18 *Literaturnaya Rossiya*, a Slavophile, anti-Western, anti-Semitic weekly, quotes approvingly from a report of the American Family Association, the Rev. Donald Wildmon's outfit. The AFA makes some good points about the proliferation of smut in the media but takes its cause to rather embarrassing extremes (like railing against "child sex themes" in ABC's "The Wonder Years"). The *Literaturnaya Rossiya* commentator, Yaroslav Shipov, mentions the AFA's recently published list of "the top ten sponsors of anti-Christian programming" on American TV. "Of special interest to us," writes Shipov, "is the fact that among the leaders of the Host of the Antichrist are familiar names: Pepsico and McDonald's," the two U.S. companies whose products are most widely known in the Soviet Union. Ominously, he concludes:

> And thus, my esteemed compatriots, you should know that every time we buy a McDonald's hamburger or a bottle of Pepsi, we are contributing to anti-Christian activity—in other words, crucifying Christ over and over again.

It's a bit less convincing once you reflect that the rubles shelled out by Soviet customers to American companies are very unlikely to end up in the pockets of American TV networks. Like most things in this world, the Host of the Antichrist runs on hard currency only.

Role Models

Dejected American leftists are fervently reassuring themselves that it's not really capitalism but Swedish socialism that people behind the Rusty Curtain are hankering after. It is doubtful that many of them read the monthly newspaper *Molodyozhny Aktsent* (Youth Accent), published in the Volga city of Togliatti. The March 1990 issue reports the results of a citywide survey conducted by the Omnibus Sociology Center, asking, "The achievements of which country do you consider the best example for us?" Japan was picked by 22.2 percent of the respondents; the good old USA was next with 16.4 percent, while Sweden, the new socialist Mecca, got only 6.6 percent and West Germany, 7.3.

The other question in the survey was: To whom can the USSR serve as a model? To no one, said 19.5 percent of the Togliatti residents; to everyone, said a proud 2.3 percent; to socialist countries, 2.3; to developing countries, 3.1; to capitalist countries, 0.4; and to African countries, 1.5 percent. Someone should bring this to Nelson Mandela's attention. ☐

"The Silent Boom"

The Reagan Decade: Was it "The Worst Years of Our Lives"?

YES, according to the title of Barb Ehrenreich's latest book, and the media nods its approval. Further fueling the voguish "Reaganomics" bashing is a new paperback novel by Kevin Phillips, reviewed in this issue.

To counter similar nonsense uttered by Michael Dukakis during his 1988 presidential campaign (Memo to Ehrenreich, Phillips: he lost), *TAS* commissioned economic columnist Warren Brookes to assess the state of the American economy under President Reagan, and reprints of his August 1988 article "The Silent Boom" are still available. Brookes's myth-debunking antidote looks at job growth, savings rates, competitiveness, and wage rates with actual statistics and keen analysis. Order your copies today! That is, if you have any cash not yet transferred to the Greedy Rich.

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TRICKY DICK

by James Bowman

When William Randolph Hearst introduced America to color comics in the *New York Journal* he described them as "eight pages of polychromatic effulgence that make the rainbow look like a lead pipe." He was on to something. American popular (and not so popular) taste has always found mere nature rather drab and in need of some of the glamour imparted by art. This was as true of the melodramatic chiaroscuro of the cinema in Hollywood's great days as it is of "the funnies," which enjoyed their heyday at about the same time. These distinctive American art forms still come together periodically in a great flash of light, color, and T-shirts. Last summer it was *Batman*; this summer it is *Dick Tracy*.

Tracy is the better movie—better acted, better constructed, better photographed, and with some great Stephen Sondheim songs sung by Madonna. It is also more aware of what it is doing—which is what we might have expected when this fusion of comics and cinema proceeds from the latter-day Disney studios. These are the people who brought together animation and parodic *film noir* in *Who Framed Roger Rabbit* and, in fact, a new Roger Rabbit cartoon, complete with interaction between the 'toon characters and "real" actors, is used as a curtain-raiser for *Dick Tracy*—just to let us know where we are.

Which is emphatically in Hollywood—a Hollywood where truth to life, having become too problematical, has been replaced by truth to genre. Wallowing in film cliches, far from being a vice, is made the virtue of *Dick Tracy*. We are invited into the world of the movie's craftsmen with a knowing wink, and made to feel more at home than we would in anything more closely resembling the "real world." Each star comes with a filmic tag: Dustin Hoffman in the role of Mumbles recalls his role in *Rain Man*; James Caan and Al Pacino remind us of *The Godfather*, and Warren Beatty himself quotes from *Bonnie and Clyde*, not only in the use of Michael J. Pollard and Estelle Parsons in supporting roles but also in the unforgettable image of bullet-riddled 1930s cars—only now it is Beatty who is doing the riddling.

And this time there is no blood. Beatty can be the relentless, unforgiving cop of whom his character was once the victim because his victims invite no sympathy: if they bled they might associate themselves with a humanity to which they can never in fact aspire. For always they are cartoon villains, translated into cinema with the help of the make-up artist only in order that the cinema might remind itself of its own cartoon quality. And it is in the nature of the cartoon to purge reality of its heartless irrevocability. When Roger Rabbit is shot full of holes in the prelude, he is up and after Baby Herman again in no time—because we know that this is how things work in cartoons.

Like other cartoon characters, Tracy has promises to keep. He's got to appear again at our breakfast tables next Sunday, so nothing really final can ever happen to him. Even the death of his creator seems to have left him unfazed. This is heroic soap opera, archetypal sitcom, recalling the titanic and similarly unending struggles between Tom and Jerry, Sylvester and Tweety, Wile E. Coyote and the Roadrunner. Like them, Tracy and the bad guys are eternal, Sisyphean types—and Tracy, like the Roadrunner, is by definition the victor. These are mythic characters whose epic world requires them to confront every problem of humanity and superhumanity except that of their own mortality.

Of course the bad guys don't get up again after they have been mowed down by Tracy's Tommy gun. But this nod in the direction of verisimilitude is compensated for by their sheer abundance which, like that of crows in a cornfield, is matched only by their dispensability. They constitute an endless procession of grotesques queuing up to be smitten by the hero, like the Saracens in the *Chanson de Roland*, and their skillfully executed prostheses—preliminary sketches by Chester Gould—are the principal means by which they are dehumanized. It is a technique which can only work, however, in a context as highly stylized as that of *Dick Tracy*.

It was *Batman* which blazed this particular trail and introduced us to what we might call generic reality. In last summer's blockbuster we were given a nightmare cityscape which is like every city that we know without its being, even conceivably, any actual city. In *Dick Tracy* the (unnamed) city is like a thousand cinematic representations of Depression-era Chicago—and may be even a little like Depression-era Chicago itself—but it glories in being self-evidently a movie set, where there are no people except the actors. Here the generic reality is underscored by the unmodulated primary colors of a cartoon strip and by unidentifiable period cars, a can of chili labeled "Chili," a shop called "Dress Shop," and a newspaper called "The Daily Paper." Even the docks are signed in neon as "Seaport."

If the purpose of "magical realism" is to introduce the almost believably miraculous into a setting of gritty mundanity, that of generic reality is something like its opposite: a planting of the morally unremarkable into the soil of an almost earthly Never-neverland. And to what end are we invited into this make-believe realm of heroic archetypes? It is only to be told that bourgeois respectability, whose highest values are sexual fidelity, official incorruptibility, and relentless extirpation of criminal elements, is the only eternal verity.

And maybe that's how we feel in late twentieth-century America, where mere bourgeois respectability has come to seem an impossible dream. Al Pacino as the villain-in-chief, Big Boy Caprice, is given to mouthing garbled aphorisms and attributing them to various defunct quotemeisters. "There is what is and there is what we want it to be—Plato," says Big Boy when he is finally brought to the point where he must face the music. There is no doubt that we prefer the world as we want it to be: one in which villains recognizable by their ugliness are invariably destroyed by the guardians of decency.

What is most remarkable is that this film shows how even Hollywood's political exoticism yields to nostalgia for that better world. Tracy's playing fast and loose with criminals' "rights," his use of illegal wiretaps and even third-degree techniques with Mumbles are apparently unproblematic for even such a celebrated liberal as Warren Beatty—because he has abstracted himself from the world as it is, where guilt must be proven and where criminals are human, and allowed himself a holiday in the world as he too would like it to be: where evildoers oblige our sense of moral fitness by offering themselves up for target practice. □

James Bowman is American correspondent for the Spectator *of London.*

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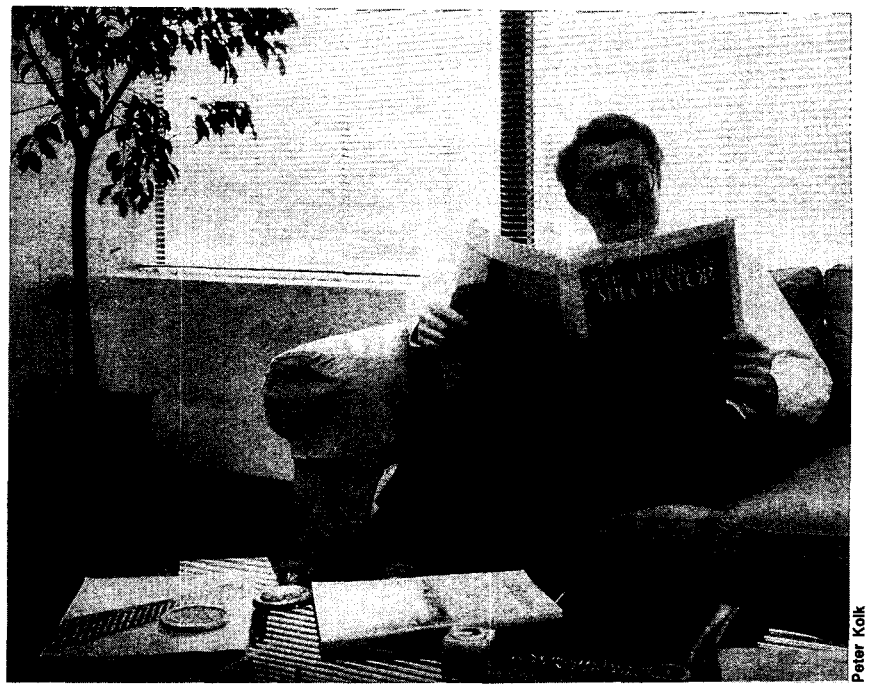

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TOO GOOD TO BE TRUE: THE OUTLANDISH STORY OF WEDTECH

James Traub/Doubleday/379 pp. $21.95

Roger Starr

James Traub has a good tale to spin: the plundering of the United States Treasury by an unlikely, ill-matched gang of unpremeditating felons under cover of law. The instrument they used was a so-called "minority enterprise," a corporate defense contractor of the 1980s that was entitled to a special edge in government procurement because its founder happened to be of Puerto Rican ancestry, though Spanish Harlem was his actual birthplace.

Traub thinks the plundering, not to mention the overnight speed with which the plunderers forgot South Bronx *paella* and grew accustomed to *quenelles de brochet* at the Côte Basque, was the inevitable product of the Reagan presidency. Traub suggests that in Reagan's administration Greed won its current rank as the foremost human vice, displacing those debilitating twins, Sloth and Envy, that a more youthful society tends to consider worse sins.

This rags-to-riches-to-sackcloth story must compete for Traub's attention with what he views as its political implications. He would clearly hope to turn Wedtech into a Reaganaut shipwreck, but, despite a few feints at Lyn Nofziger whom the author fails to connect with any serious Wedtech offenses, the only Reagan official made to look really foolish is Ed Meese. And the foolishness is, as Democrats said about their own stray sheep, "by association." Meese was clearly unable to be brusque with friends, associates, neighbors, or even people caught next to him in traffic jams. He was flagrantly patient with one Robert Wallach, a California lawyer who appears throughout the book as trying to milk Wedtech's minority status and semi-mythical accomplishments to enhance his reputation with high-ranking Republicans (he himself was a Democrat). Simultaneously, he was exploiting his stature with the Republicans in order to collect major fees, hundreds of thousands of American dollars, from Wedtech for his services.

While Traub moralizes that Wedtech fell because of the havoc Republicans inflicted on such stalwart American virtues as honesty, the scorecard of convictions conveys a different impression. Elected officeholders who were found guilty of crimes as a result of their association with the company were Mario Biaggi (congressman, Democrat); Robert Garcia (congressman, Democrat); Stanley Simon (borough president, Democrat). Garcia won a partial victory in his appeal. Bernard Ehrlich, not elected to office but clearly a politician-lawyer who served high in rank in the National Guard, was also a Democrat. Lyn Nofziger, beyond cavil a Republican and an erstwhile Reagan intimate, was found guilty of violating the Ethics in Government Act by helping Wedtech too soon after he left government service. He played a minor role in the Wedtech story, though he attracts and deserves the denunciations Traub levels even while quietly acknowledging that the Reagan White House was not the first to have a hatchet man like Nofziger.

The moral I draw differs from the one that Traub favors. I glimpsed Wedtech when, under the name of Welbilt, it was still oozing virtue in a neighborhood where not even the *word* virtue was familiar. A local legislator of unusually incorruptible stature took me, in the late seventies, I believe, to see its crowded, unkempt, but busy machine shop in the otherwise desolate South Bronx. My Virgil wanted to show me that the borough he represented was far livelier than I had previously been willing to acknowledge.

I was thrilled by what I saw, like many more prominent Wedtech tourists who managed later to turn their ecstasy into cash. There, in the darkest circle of the urban netherworld, against a backdrop of charred tenements, filthy vacant lots, abandoned cars, and ruined hopes of every description, new life was springing up. Manned by migrants from the Caribbean, machines were turning out airplane parts that were acceptable to a large government defense contractor (I recall it was General Electric). Their achievement was as encouraging as a growth of saplings on a burned-out forest floor.

Traub patiently explains the origins of Welbilt-Wedtech in the machine-shop partnership of John Mariotta and Fred Neuberger. Mariotta, the native-born Hispanic, had been a brilliant and imaginative tool-and-die maker, despite his inability to read or write. His brains, people said, were in his fingers, allowing him to grasp the inner logic of complex industrial processes at a glance and reproduce them in his own shop. Neuberger, an orphan of the Holocaust, was a shrewd, angry, unscrupulous small businessman, whose gargantuan sexual appetite was accompanied by unexpected spasms of rage or sentimentality, each equally embarrassing to his colleagues.

The two prospered together, as I saw when I visited their shop in the early days. Traub's account conveys how John Mariotta recruited inexperienced young Hispanics to work in the shop, inspired them, trained them, and, as Traub puts it, despite the competition from prison and drugs, turned them into an effective work force.

Mariotta also understood his own deficiencies, and realized that the growing enterprise needed a colleague trained in business organization and capable of inspiring confidence in it among major contractors, government agencies, and, most important of all, bankers. He found the man in a serious, soft-spoken immigrant from Colombia, Mario Moreno. Moreno provided knowledge of the ways of larger companies, a tactful and convincing manner, and mastery of accounting and business practice. Without him, Traub writes, the firm would have remained at best a "decent, marginal little manufacturing concern in the middle of the wilderness."

It's probably more accurate to say that, even with Moreno, Wedtech would never have cut a wider swath than that described by Traub without help from the egalitarian slogans of the

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time. What pushed Wedtech on to the political successes that foreshadowed its criminal downfall was primarily its "edges." Edge Number One was its status as "minority-owned," which allowed it to bid on contracts that the Defense Department was directed by Congress to "set aside" for specific racial and ethnic minorities. When Wedtech expanded, its ownership was diluted, as people bought or were given stock. John Mariotta's share—the basis of Wedtech's original claim to bid on set-aside contracts—was reduced below the statutory minimum.

Wedtech's second edge was its original modest size and feeble capitalization. These qualified it for loan guarantees and financial help from the Small Business Administration, and lasted long after Wedtech outgrew the prescribed legal definition of a small business, in much the same way that it remained a "minority enterprise" when it had become technically non-minority.

As the company won more and bigger contracts from the Defense Department, its financial condition deteriorated. Traub points out that Wedtech did reach some jagged peaks of political conquest. He cites President Reagan's praise of John Mariotta for his achievements in production. (Thus, in Traub's view, the President took on himself responsibility for its subsequent failures.)

Traub also emphasizes that as the company received bigger and bigger contract awards, it strayed further from the truth in describing its financial condition to creditors, poured more assets into the private (and concealed) bank accounts of its principal stockholders, and awarded bigger fees to political operatives who claimed to help obtain contracts that strained its physical facilities and technological skills. As its condition worsened, it engaged new shuttles of hustlers to sell the stock it issued to optimistic suckers. Finally, the whole gang of bribers, bribees, corporate officers, government servants, consultants, and advisers ended up as defendants in federal court, where all but one were found guilty of a long series of charges. Some of these were violations of long-standing statutes against fraud and embezzlement. With U.S. Attorney for New York Rudolph Giuliani's typical flourish, some were brought under the RICO statute that was intended to deal with corrupt organizations.

It was Robert Wallach who roused Federal District Judge Richard Owen to a unique pinnacle of rage. Obviously the judge was affronted not so much by the defendant's misdeeds, as by the hypocritical armor of disinterestedness in which he enveloped himself. After fifteen minutes of harangue, Judge Owen turned from Wallach in disgust, saying: "The litany of these things . . . I sicken to talk about them." He sentenced Wallach to six years. Congressman Mario Biaggi got eight from Judge Constance Baker Motley—but no lecture.

Traub tells this part of the story well, but the reader gets the impression that his narrative is based more on the disclosures of his favorite prosecutors than on the confidences of the defendants (except, perhaps, Mario Moreno). His eyes fixed on establishing a connection between Republicans and the Wedtech scandal, Traub seems not to have pondered enough the policy of minority set-asides and other forms of favoritism by fiat. Merely denouncing greed to explain malfeasance will not lead one to the final source of this sad story. Greed is so basic a factor in human motivation that its rise and fall cannot easily be correlated with the ascendancy of one political party or another. The novel element in the Wedtech case is the exposure of set-asides as a particularly risky form of favoritism.

Buyers for the armed services—they are not necessarily military personnel themselves—are trained to demand efficient performance of the contract for the purpose of increasing the participation of specific minority-owned contracting firms in the nation's economic life. When they find that they will be held responsible by their military superiors for faulty work and immoderate delays, and, at the same time, by spokesmen from other agencies for what the spokesmen claim are unreasonable demands on minority contractors, they are likely to feel that any personal reward they are offered by those contractors is simply a form of extra pay for hazardous duty. Like all other such official favoritism, the set-aside makes bribe-taking seem justified and has the potentiality of corrupting the whole procurement process.

One can't doubt that the adoption of set-asides in Congress was motivated by the noble purpose of helping members of disadvantaged minority groups. But those who administer contracts recognize instantly that the law does not benefit minority groups; it benefits the people in control of the particular company that is awarded the set-aside contract. In human experience, the shortest measurable period of time is that which elapses between receipt of an unexpected benefit from one's government and recognition that it was entirely deserved.

Once a contractor discovers that it deserved to get the contract it was awarded with the help of politicians, it becomes convinced that everything that redounds to its benefit is good also for the United States of America. Officials who are sufficiently bold to express their doubts of the contractor's competence are enemies, not only of the contractor, but of the glorious nation clever enough to glimpse the contractor's true merit.

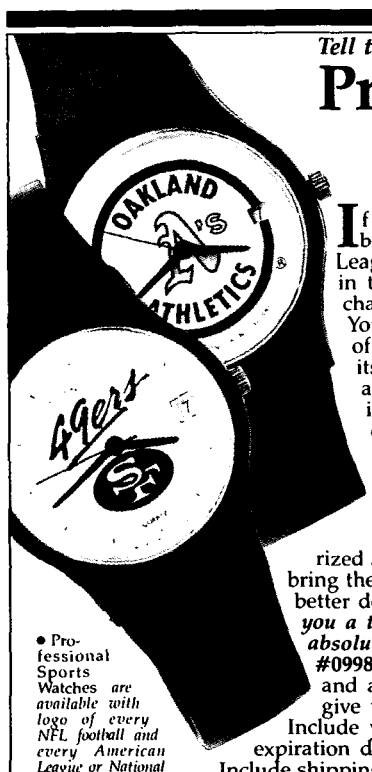
Of course, the Wedtech case laid bare the greed of those prosecuted, and others who escaped. They were properly tried and convicted for what amounted to the theft of money from the government. As Traub does not, neither should the reader waste sympathy on them in their disgrace.

Yet Traub does not recognize that there were losers less well protected than the government itself. After a few references in its opening pages to contract performance, his book is devoted entirely to the financial side of Wedtech's operations. The reader is encouraged to forget—indeed, is never told—that Wedtech actually performed well in its initial contracts. Without being encouraged by the law, and by lawyers and consultants, especially the egregious Wallach, to seek contracts that were manifestly beyond its capacity, Wedtech delivered the airplane parts, complex cooling devices for army tanks, and six-horsepower motors that it contracted for. It even delivered about half of the elaborate pontoons for a contract that it never should have been granted.

Intervention of consultants and the undisclosed paid services rendered by elected legislators were the inevitable result of the set-aside law. The Navy officers and civilian officials who were responsible for administering these contracts naturally rebelled at the prospect of awarding them on political grounds. And politicians decided that, if members of minorities were to be enriched for being members of minorities, the politicians themselves should be rewarded for fighting their battles.

No realistic observer of government procurement doubts that officials often do favors for contractors they consider qualified and by whom they are sometimes employed after closing their government careers. Picking between two equally qualified contractors in order to spread employment through the nation is one sort of favoritism. Picking a dubiously qualified contractor on the basis of skin color or native tongue is quite another.

Yet those who were in such a hurry to benefit minorities that they would destroy the greatest bulwark against discrimination—selection by merit—bear some responsibility for the Wedtech disaster. They are too busy taking bows for their superior human instincts to notice how costly their good feelings were, and not only to the government. Without public officials pushing Wedtech to expand recklessly—and getting paid handsomely for their corrupt efforts—the firm might still be in business, proving that it is possible to develop a solid manufacturing enterprise on the fallow soil of the Bronx, with workers for whom a job was a third choice between drugs and jail. □



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NOTES OF A HANGING JUDGE: ESSAYS AND REVIEWS, 1979-1988

Stanley Crouch/Oxford University Press/288 pp. $22.95

Martha Bayles

Style and substance seem to be at odds in contemporary discourse, to the detriment of both. The dense, crackling, iridescent prose of which English is singularly capable is too often wielded in the service of stale and perverse ideas. And matters of substance are too often expounded in the monochromatic monotone of the average op-ed page. It's rare to find both verbal virtuosity and rational coherence in the same person, even rarer when that person is a journalist. For this reason alone, it's worth reading *Notes of a Hanging Judge*, a collection of political, literary, and cultural essays by Stanley Crouch.

Crouch is best known as a jazz critic —his next two books will be a collection of jazz criticism and a biography of the bebop saxophonist, Charlie Parker. But, unlike the majority of jazz aficionados, Crouch does not retreat with his beloved music to a cultural island. On the contrary, he follows the example of such older jazz-based writers as Ralph Ellison and Albert Murray in using the music as a vantage point from which to scrutinize the rest of the world.

Given the insularity of most jazz musicians and their admirers, to say nothing of the exclusionary attitude toward jazz that still exists among many intellectuals concerned with the survival of high culture, the question becomes: How is this possible? How can this problematic but undeniably modernist American art form illuminate the decay of cultural standards in general, much less the broad array of other topics tackled by Crouch, such as feminism, crime, prisons, city politics, the Third World, homosexuality, boxing, or the rise of black power from the ashes of the civil rights movement?

With regard to culture, the timely if surprising answer is that jazz has been more successful than the other modernist arts at preserving and extending its traditional standards of excellence. Like the other arts, jazz spent the late 1960s and early 1970s stampeding off the cliff of what Jacques Barzun has called "artistic abolitionism." But unlike the others, jazz has not been lying at the bottom ever since, learning how to love its shattered "postmodernist" state. Instead, the efforts of musicians like Wynton Marsalis and critics like Crouch have enabled jazz to regain the high ground it occupied during and after World War II.

Except for the final essay, "Body and Soul," a celebratory travel piece about the Umbria Jazz festival in Perugia, Italy, *Notes of a Hanging Judge* does not focus directly on jazz. But Crouch's active participation in the recent rehabilitation of jazz seems to have immunized him against all sorts of pernicious nonsense, especially the racial kind. With very few exceptions, jazz musicians have never measured musical merit by the yardstick of race. On the most respected bandstands, there is no such thing as discrimination. And, perhaps more to the point nowadays, there is also no such thing as affirmative action.

Closely related to the question of standards is Crouch's vision of jazz as the musical embodiment of black Americans' "heroic optimism," their traditional "willingness to take the field, to do battle, to struggle up from the sink holes of self-pity." Like his mentors Ellison and Murray, Crouch mounts an unapologetic defense of the affirmative spirit of blues, gospel, and other strains of Afro-American music. As he describes it, "the voice of the Negro . . . has provided us with the most sterling sense of tragedy and has long proven that human beings need not be reduced to lower forms of animal life by great suffering."

Given such convictions, it is hardly surprising that Crouch cannot abide the type of political leadership that defines black Americans as helpless, and excuses their destructive behavior as the inevitable fruit of racism. He excoriates the "tantrum politics" of the black power movement for having retarded black assimilation into the electoral process, and praises those politicians who have furthered that assimilation.

Which brings us to Jesse Jackson. It is regrettable that *Notes of a Hanging Judge* leads off with an essay on that politician. Originally appearing in the *New Republic*, the essay, entitled "Ready on My Mind," reveals Crouch's weakness as a political reporter—namely, his tendency to listen to the music rather than the words. In celebrating the greater expressiveness of Jackson's preacherly oratory over the dryasdust droning of his fellow candidates, Crouch overlooks the worrisome implications of what Jackson is actually saying.

"Ready on My Mind" does not just praise Jackson's speechifying style. It also strives to persuade the reader that the candidate's "rainbow coalition" represented a definitive break with the politics of racial resentment. Yet I suspect that Crouch's efforts at persuasion are also aimed at himself, because the essay ends with a postscript deploring the swiftness with which Jackson reverted to racial politics during the 1989 mayoral election in Chicago.

Perhaps if Crouch had been able to witness Jackson's more recent performances at Stanford University and Harvard Law School, he would have added more than a postscript. For he claims to despise the "mirror-licking ethnic chauvinism" of black leaders and cultural figures who propagate half-baked myths about black culture and history. For example, he sizes up Louis Farrakhan as an incoherent ranter to whom "the past is silly putty." And he mourns the sacrifice of James Baldwin's "imposing gifts" to the "intellectual airlessness" of a literary career "sold out to rage, despair, self-righteousness and a will to scandalize." Or, in a formulation more typical of the pungent Crouch style, "Baldwin was a seminal influence on the subsequent era of regression in which Stokely Carmichael, Rap Brown, LeRoi Jones, and Eldridge Cleaver transformed white America into Big Daddy and the Negro movement into an obnoxious, pouting adolescent demanding the car keys."

Crouch regards that era of regression, which began in the late 1960s, as having sent "not only black America but this nation itself into an intellectual tailspin on the subjects of race, of culture, of heritage." Here he echoes another elder, Harold Cruse, in counting the ways in which "cowardice or intellectual dishonesty among Afro-American intellectuals and commentators allowed for the sustained power of more than a few silly ideas."

In the same spirit, Crouch reserves special scorn for the popular culture's tendency to amplify the most negative and apocalyptic strains in black life. For example, he mounts a scathing attack on the filmmaker Spike Lee, whose attachment to 1960s-style militance he describes as the sentimental indulgence of a privileged youth ill-informed about the real problems of the black poor. Likewise, Crouch raps rap for being a creation less of the street than of "middle-class Negroes acting out their version of a 'gangster aesthetic.' "

To some readers, there may be scant reason to compare a rising pop-cultural star like Lee, or the rappers, with a falling one like Michael Jackson. But as

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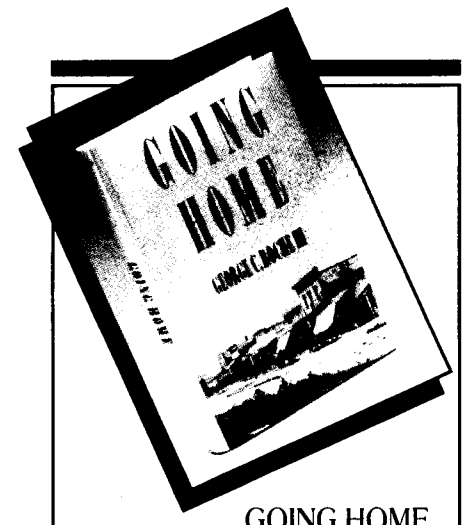
Martha Bayles is completing Dark Gods, *a critical history of American popular music, for the Free Press.*



GOING HOME
by George Roche

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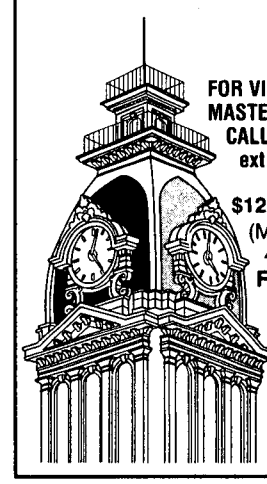

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Crouch points out, the comparison reveals how rapidly we are moving from benign to malignant forms of popular entertainment. In other words, there is a difference between Jackson's singing and dancing (not to mention his adventures in plastic surgery) and the increasingly violent and obscene antics of the rappers. The former belongs to an essentially affirmative tradition of black performing art dating back to the eighteenth century; the latter expresses the cheap nihilism of an aggressively obnoxious popular culture whose depredations can no longer be distinguished from those of the so-called "serious" culture. As Crouch sums it up: "Instead of minstrel mugging, you have counterfeit thugging."

Ironically, the current resurgence of pernicious racial nonsense in both culture and politics may bias the bookstore browser against Crouch's collection. Picking it up and noting that the "hanging judge" in question is a black writer who spent ten years working for the *Village Voice*, one might easily assume that here is another case of the demented ravings of the 1960s refusing to dissipate, like a polluted atmospheric inversion. Much of what gets called "racism" nowadays is simply disgust with this stale mass of hot air. In this respect, Crouch's essays arrive like the end of bad weather. Sometimes the change is subtle, as when a drier, brisker breeze starts filtering in, nudging the muggy stuff aside. More often, the change begins with an electric charge and a darkening of the skies, followed by a thunderclap, a blinding flash, and a torrent of words. The point to recall is that when the storm is over—and unfortunately, it's not over yet—Stanley Crouch will be among the few stepping out to greet the rainbow. □

GREAT POSSESSIONS: AN AMISH FARMER'S JOURNAL

David Kline/North Point Press/235 pp. $16.95

Dave Shiflett

God breathes hard in the West. Here in Denver it was a very windy spring, with gusts roaring through the foothills strong enough to peel the skin off your cheeks and blow it all the way to Santa Fe. Tornados touched down from time to time, and one night the hail and lightning came so hard and fast you'd have thought the world was ending. Hellfire! If we wanted this, we would have moved to Wyoming.

Fortunately, we had a copy of David Kline's *Great Possessions* under the bed, so when the winds came, we reached past the empty bottles and the rifles (not so empty) for some sure-fire comfort. About one or two of this Amish farmer's brief essays would usually do the trick; there are forty-five of them in all, enough for a couple of hurricanes and the first few hours of the Rapture.

And we were comforted. While the *chinooks* raged, we snuggled up and read about the gentle nature of Ohio, where Mr. Kline farms and raises children, none of whom appears to have a police record or is the least bit world-weary, despite their incessant toiling in the dirt. Remember, these are the folks who plow their fields behind horses, who are up before the sun pulling on cow udders, and who don't turn up the thermostat, but toss another log on the fire. Kline probably wouldn't find time to write save for one thing: "Because God didn't create the horse with headlights," he says, "we don't work nights."

So what's so great about his book? Well, it's written nicely, but probably won't be remembered as a literary masterpiece. What's golden is its tone: This is the work of a man at peace.

If you've ever passed one of these Amish characters on the highway, you might have wondered what he was thinking about as he bounced along in his buggy, serenely stroking his hairy chin. The answer, it seems, is that he could have been thinking about plowing, or cutting wood, or ravens, or other stuff the rest of the world hasn't much time for. About the only time the Amish grimace, if Kline is a guide, is when contemplating a strip miner.

"I enjoy plowing," he admits, and a little later, "I consider it a privilege to work with wood. Cutting, splitting, and hauling it to the house usually involves all members of the family at one time or another. Many people don't have this opportunity." At this point he drops in a quote from Henry David Thoreau: "Wood heats you twice, once when you cut it and again when you burn it."

That's not all. Kline is very big on insects, flowers, and birds—the same birds the rest of us can usually appreciate only with the help of a BB rifle. His is not a superficial appreciation, either, as becomes evident when the author comes upon a foul substance lying on the forest floor:

"Since owls cannot digest hair, bones, or feathers," he explains, "these substances are formed into balls called pellets and regurgitated. These oblong pellets can be found beneath their roosting trees and nests. By examining the pellets one can fairly accurately determine what the owls are eating. The ones I find around here belong to the great horned owl and usually consist of rabbit and mouse fur, and bones, and surprisingly often, the reddish bones and hair of fox squirrels." One will search in vain to find so great a descriptive passage in the work of Miss Kitty Kelley.

Mr. Kline also writes about hawks, falcons, thrushes, rails, and vultures, about which he offers a word of caution: "The big scavengers have the undainty habit of sometimes throwing up breakfast or yesterday's supper at uninvited guests." Again, something most of us probably didn't know. Kline's book is full of such facts:

> Studies done in Sweden on captive animals showed that a bat could hear a fly cleaning its wings or rubbing its legs together.
>
> A single vampire [bat] will consume almost five gallons of blood a year.
>
> In the base of their wings katydids possess a miniature amplifier that gives enormous projection. . . . This tiny megaphone can amplify an almost inaudible scratch into a loud "katy-DID" that can carry, on a calm night, for nearly half a mile.
>
> The mayfly . . . may emerge as an adult in the evening, mate, lay its eggs, and die before sunrise, all this accomplished without ever eating.
>
> Robber ants are known to go on raids and steal the pupae of other ant species and carry them home. When these pupae hatch, they serve their kidnappers as slaves. This has been going on for so long that the robber ants have forgotten how to work.

While important for the ability to take readers to different worlds, such information is also of value to those who do battle in the moral and political arenas. Animal rights activists, for example, insist that ants are morally equal to humans. So perhaps they should be asked for their position on ant slavery, as documented by Kline. And while the same group no doubt applauded the recent arrest of a Californian for abusing a canary (he clipped its wings and tied it around his neck with a piece of yarn), what do they say when a northern pike tries to snatch a prothonotary warbler from its perch above a beaver pond, also documented by the author? Not much, we can be sure.

There's one other prize. Kline supplies us with memorable quotations. From the Canadian naturalist Jack Miner: "The chief cause of the decrease of the bluebird is the English sparrows. One of man's great mistakes was when he introduced this little, domineering Bolshevik into America."

From Aldo Leopold: "Babes do not tremble when they are shown a golf ball, but I should not like to own the boy whose hair does not lift his hat when he sees his first deer."

From an old adage: "When oak leaves are as big as squirrels' ears, and bracken fern is still curled up like a fiddlehead, it's time to plant corn."

That last one should be used sparingly, perhaps. But here's a show-stopper: "The largest [beaver] on record was trapped 60 years ago in northern Wisconsin. It weighed 110 pounds." What do you say when confronted by such a datum? Only that the pelt would be big enough to make a car bra for a Cadillac. Yet Kline asks us to spare the beavers, and in his honor, we shall. □

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BLOOD, CLASS, AND NOSTALGIA: ANGLO-AMERICAN IRONIES

Christopher Hitchens/Farrar, Straus & Giroux/398 pp. $22.95

Mark Falcoff

I asked to review Christopher Hitchens's *Blood, Class, and Nostalgia* because I expected it to be hugely entertaining. After all, the only thing more distasteful to me than an American Anglophile is Christopher Hitchens himself. The idea of two enemies set on a course of mutual destruction was simply too much to resist. Moreover, with this book I expected to unmask the author's dark, lurking secret—that far from being a man of the left, Hitchens is actually a covert Tory who wants the U.S. to go socialist so it can be ruined, thus allowing him to feel better about his country's present reduced international circumstances.

The book disappointed me, however, on both counts. Hitchens is certainly no English nationalist—he clearly despises his own country every bit as much as he does the United States (which, when one thinks about it, is saying quite a lot). In some ways he resembles an old-fashioned British radical, but with higher cultural and social pretensions. But in others he evokes a less honorable tradition, by now unfortunately quite venerable in Britain, of former public schoolboys who have turned against their country. In this case, I hasten to say, the recipient of new loyalties is not the Soviet Union, but the sensual, dusky tyrannies of the Third World. *Autre temps, autre moeurs.*

And while Hitchens can turn out an entertaining article, he simply cannot sustain his usual level of invective for nearly four hundred pages. The plain truth is that the book is labored, ponderous, and ultimately *boring*. It is also humorless—it lacks even the kind of below-the-belt rapier wit we have come to expect from his regular contributions to the *Nation* or *Harper's*, that reliable house organ of progressive dentists and culturally aware divorcées everywhere.[1]

In any event, *Blood, Class, and Nostalgia* is really two books that rub up against each other, somewhat uncomfortably, between the same set of covers. One is an essay on the cultural dimensions of American Anglomania; the other is a history of U.S.-British relations, with special emphasis on "imperial receivership." The first has certain virtues—Hitchens has a good observer's eye for cultural reportage, and a sense of irony that the subject evidently invites. Sometimes the irony is a bit mannered or forced, but the point is usually well taken. Here, for example, is his description of the Red Lion Bar of the Beverly Hilton Hotel in Southern California:

> The simulacrum of an English country pub or "snug" has been lovingly faked. In the bogus grate burns a phony, heatless log fire. Beer pumps draw up franchised, tasteless American lagers with German names. Unconvincing paneling combines with rounded and "aged" wooden tables and chairs to sham the dingy atmosphere of a "Dickensian" alehouse as shown off to willing American tourists. (Eight time-zone hours ahead, in London, any pub with a trace of Sam Weller or Mr. Pickwick is being hurriedly converted into an L.A.-style cocktail bar.)

And who can argue with this? "Across a swath of the imagination of America, it seemed England was understood principally as the home of the Windsors; a sort of theme park for royal activities and romances. Without the monarchy, ran the unstated question, what would be the *point* of the old country?"

But we hardly require yet another book to explain to us that British cultural paraphernalia—from fascination with the Royals to phony pubs to that superannuated curiosity, the English-Speaking Union—has been used for generations in the United States to confer a cachet of class and old money on individuals and institutions that so clearly lacked both. Moreover, Hitchens is wrong if he thinks this is a uniquely American phenomenon. One finds it all over the former British Empire, as well as in countries where British influence has been traditionally strong, such as Portugal, Chile, and Argentina. (In Santiago they still have a Prince of Wales Country Club, complete with a painting of the Duke of Windsor in the dining room. And in the Argentine Republic—a country where I have spent considerable time over the years—the author of *Blood, Class, and Nostalgia* should know that in spite of the recent nastiness over the Falklands, everybody there adores his country, or rather, what they imagine his country to be; a "British accent"—not, certainly, the kind that comes out of the mouth of Christopher Hitchens—continues to distinguish those Argentines who have gone to the right prep schools from those who haven't.)

Hitchens attributes to Harold Macmillan the notion that the "special relationship" was to be "a relationship between conservative forces." He thus chooses to omit from his analysis an inconvenient social fact: namely, that Anglomania is the religion of choice in the United States for not only the *nouveaux riches* right, but the academic and cultural left. For years it has been known, for example, that no history or English department at any American university was capable of resisting a British accent. (In the lean and hungry early seventies, we used to just drop out of any academic job competition when a citizen of the United Kingdom entered it.) Terry Eagleton, E. P. Thompson, Raymond Williams, Tom Bottomore, Eric Hobsbawm, Antonia Fraser, Margaret Drabble, even Hitchens himself owe much of their success in the United States to the fact that certain kinds of Americans simply cannot resist any kind of foolishness when it comes wrapped in the proper cultural dressing.

What some have called British style in the United States is, after all, the ultimate expression of anti-bourgeois sentiment, and as such is hugely attractive to the American intelligentsia; as a certain liberal of my acquaintance once confessed, "I love England because it combines monarchy and socialism." (This also explains, by the way, why hatred of Thatcher is not restricted to American leftists; the prime minister is despised in almost equal measure by a surprising number of well-to-do Eastern Seaboard Wasps of the type one imagines reading the *New Yorker*. The lady is ruining *their* England by making it less feudal and backward.) By way of contrast, France has never appealed very much to either American liberals or conservatives, and not just because they are largely incapable of crossing the language frontier: under all its regimes since 1870 France has been, after all, the ultimate aristo-bourgeois republic, deeply rooted in the notion of private property, particularly small private property. (What could be more cynical and sordid than that?)

It is also possible that Hitchens overestimates the residual hold of British archetypes on the American imagination. America is a nation of fads; times and fashions change rapidly. The Reagans are gone, and the "English country house style" is already fading from *House and Garden*. This could be a metaphor for another, more sinister development: if present trends continue, our Mother Country will not be Britain at all but Spain (or more precisely, Mexico). Will that be such a marvelous outcome? As things have stood for the last two hundred years, our British heritage has been present not only (or even particularly) in the practice of social climbing, but rather in those features of the United States that even Hitchens might like—its tradition of local government and civil liberties to trial by jury, not to mention our language, some of the themes of our literature, architecture, and many perfectly worthwhile social customs. Hitchens should ask the Mexicans—not Carlos Fuentes or members of the jet-set left, but real Mexicans, the ones fleeing from their marvelous leviathan of corruption, inequality, and violence—whether they think *those* traditions should cross the border with them and replace America's British connection.

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[1] Until quite recently he also contributed a column entitled "American Notes" to the *Times Literary Supplement* which I used to read with mixed horror and fascination. The readership of the *TLS* is made up largely of teachers and lumpen-intellectuals in England and Ireland who need constant reassurance that—though their own country life is rife with racism, censorship, lack of "caring," etc.—things in America are far, far worse. (It also has about 7,000 American subscribers, most of them academics, who naturally agree with this idea.) In his appointed task Hitchens did not disappoint. But I always found it odd that the émigré was in effect urging his countrymen not to follow his example of decamping to the New World—particularly when, alas, he showed no sign of planning to return himself.

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This point is central to the other aspect of the book, which is a highly tendentious history of Britain's role in world affairs and the gradual dissolution of Anglo-American rivalry by, as the saying goes, America in Britain's place. It is obvious that Hitchens has spent a great deal of time researching these chapters, but although some of the details are new, the broad outline of the story has been known for some time. Hitchens tells the story more or less like this:

Throughout much of the nineteenth century, Britain was a determined enemy of the United States—particularly as it attempted to expand from the Eastern Seaboard across the North American continent. The antagonism was reflected in strong anti-British currents in American politics, and in a curious inversion of the present situation in Great Britain; in those days the left there was wildly, sometimes embarrassingly, pro-American. Things started to even out around the turn of the century, when an unholy alliance was struck between Washington and London to divide up parts of what today would be called the Third World. The British gave the Americans a free hand in such places as the Philippines and Central America, and the Americans looked the other way while the Boers in South Africa were shattered and subjugated.

Meanwhile, something approaching a "racial" or "cultural" understanding—complete with its own mythology, rituals, and public discourse—was being reached between the two English-speaking peoples (over the heads and also the protests of many groups in the United States that found no particular affinity with the British, including the Irish- and German-Americans). The consequences were, of course, American intervention in both World Wars on Britain's side, with important side benefits to American stature as an emerging world power. This wartime association was not without its problems, particularly during the 1940s, when under cover of "anti-imperialism," the United States sought to dismantle British rule in India and elsewhere (as well as French rule in Indochina), the better to replace it with our own version.

As the British gradually withdrew after World War II from their outposts in Asia, Africa, the Balkans, and the Middle East, and the Americans took their place, all traces of anti-British rivalry in the United States evidently disappeared. (So, by the way, did the intensity of America's "anti-imperialist" longings, as it discovered that superpower status carried costs and burdens, not just benefits.) The story has an unhappy ending: America turns out to be just as bad as Britain had been in its imperial heyday.

Whereas most books of this sort usually emphasize the degree to which America was unprepared to replace Britain as a world power, Hitchens's perspective is far less condescending to the United States and far more wounding to his own country. For him the English connection "has been used to seduce and corrupt America, the better to suborn itself." This is asking an awful lot for a cultural and political relationship: why not admit that the United States (like Germany, France, Russia, and other major powers of the nineteenth century) simply sought to expand as an expression of its sense of destiny and notion of national interest, and leave it at that? Did we really need to go to school in Britain to be bad? What was so wonderful about German, Italian, or Dutch colonialism, anyway?

In fact, Hitchens is so single-minded in his argument that he even puts sinister construction on British efforts to lure the United States into giving it assistance during the summer of 1940. Surely even a left-wing Labour government would have done the same thing? And what was so wonderful about Hitler, except that he was anti-British? (If Hitchens were Irish, his views would at least be understandable; as an Englishman, they are unconscionable.) More to the point, why is he so convinced that British rule (and American quasi-imperial succession) has been such an unmitigated disaster for the world, particularly the Third World? Is Egypt better off now than it was before the British were driven out? Is Pakistan? Is Burma? For that matter, is Cuba really better off under a local tyrant dressed up as a Soviet general than as a client state? Only if you think that *anything* is preferable to British (or American) influence. Is Iran really better off under the mullahs than under the Shah? Hitchens should ask his friend Salman Rushdie.

This is doubtless taking Hitchens's arguments more seriously than they deserve. After all, at this late date there is no point in flogging the dead horse of "anti-imperialism," now that most of Britain's (and France's) former colonies, as well as America's quondam imperial clients in Latin America—having destroyed their economies with silly socialist experiments and suffocating authoritarianism—are desperately trying to find a way of attracting the attention of their former colonial powers. Now *that* would be a subject for a book, but, I suppose it would be unfair to expect Hitchens—deeply invested as he is in the intellectual equivalent of junk bonds—to write it. □

COLERIDGE: EARLY VISIONS

Richard Holmes/Viking/409 pp. $22.95

Maurice Cranston

The prestige of Samuel Taylor Coleridge, poet and philosopher, has fluctuated since his death in 1834. Connected in the public mind with romanticism, idealism, and conservatism, Coleridge has generally been in favor when such things have been in fashion. Yet I can remember when, more than thirty years ago, his grave at Highgate in north London was so neglected that his very bones were visible inside the crumbling tomb. Today his standing is as high as it has ever been, and the appearance of this new biography has already served as an occasion for handsome tributes.

One cannot fail to notice that there has always been an ideological element in critical approaches to Coleridge. Critics of the left have generally treated him as a turncoat, a radical who betrayed his radicalism, relapsing into bourgeois torpor and Anglican sloth. Holmes's biography tells a rather different story. In this first volume, covering the period from Coleridge's birth in 1772 to his departure from England as a colonial official in 1804, Holmes points out that Coleridge reached maturity in the years of the French Revolution, and that it was less a case of the poet's opinions changing than of the Revolution changing—from a movement for liberty into a regime of populist dictatorship.

Young Coleridge had not the political insight of Edmund Burke, his senior by forty-three years, who was almost alone in discerning the true character of the French Revolution from the start. Aged seventeen when the Bastille was stormed, Coleridge was in tune with most freedom-loving Englishmen and Americans in welcoming gladly the events of 1789 in Paris. But, unlike so many others, he saw the French Revolution not as a single phenomenon but as a series of developments in which different ends were pursued at different times. In 1793, when the seeming triumph of liberty turned into a Reign of Terror, Coleridge reproached the French for turning aside from their own ideals. He did not lose his own faith in freedom, but claimed that the French had lost their understanding of what freedom meant. "France: An Ode," which he wrote as the French revolutionary armies invaded Switzerland, gave eloquent expression to his disillusionment. The word "liberal" had not yet come into use, so we may say of Coleridge that he was a libertarian who ended up on the side of Burke precisely because the French revolutionists forsook liberty in the pursuit of other ends.

Coleridge in his student days was as wild as any young aristocratic blood, despite his being the son of a country clergyman and having been educated at an austere charitable establishment. At Cambridge he carried his drinking and gambling to the point where, in order to escape financial embarrassment, he enlisted in the army under the name of "Cumberbache." It seems he was such a clumsy soldier that the army was only too pleased to release him when his brothers discovered him and arranged for his return to Cambridge. That is when Coleridge began to make himself heard as a dissident voice in the political debates of the time, and revealed talents as a journalist and public lecturer as well as a poet.

He soon found himself at odds with both Whigs and Tories, and, although he continued to move in radical circles, we can already discern in his thinking an effort to define a kind of conservatism that was equidistant from radicalism and reaction. On leaving Cambridge, he had many offers of employment, both on newspapers in London and as a lecturer at Unitarian chapels in provincial cities. He was spared the need to accept a paid job when the philanthropist Josiah Wedgwood bestowed on him an annuity of £150 a year. This enabled him to dedicate himself full-time to poetry and philosophy, apart from an interval of government service during the Napoleonic wars.

He continued to speak of the possibility of the regeneration of society, if only through experiments in communal living. For months he toyed with the idea of setting up a colony on the

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banks of the Susquehanna River with his fellow poet Robert Southey and twenty-two other friends. His enthusiasm for this project, which they called a "pantisocracy," was perhaps as much personal as ideological, for Coleridge's marriage to Sara Fricker, into which he had been more or less dragooned by Southey, was not a happy one, and Coleridge was constantly striving either to have friends live with him at his house or let him live with them at theirs. The Pennsylvania colony was never started, but Coleridge spent more and more time away from his wife and children under the roofs of fellow poets, notably that of Wordsworth, with whose sister-in-law, Sara Hutchinson, he unwisely fell in love.

Holmes suggests that unconsummated love for Sara Hutchinson, coupled with guilt about the other Sara, his wife, accounted for much of the anxiety and depression that clouded Coleridge's early manhood. He was often ill. The habit of taking opium—not especially unusual among highly strung young Englishmen of the nineteenth century—together with an addiction to brandy and tea (the latter the substance he considered most harmful) —further undermined his health. His need to be nursed gave him increased attention from Sara Hutchinson and Dorothy Wordsworth, who were more disposed to nurse him than was his wife.

Health, moreover, was not really a necessity to the sort of poet that Coleridge aspired to be—a romantic one, on the model of Rousseau, a suffering, brooding anti-hero, wandering in the mountains and yearning for the unattainable, and also neglecting, in a most irresponsible fashion, the duties of home and family. Coleridge's contemporaries—Wordsworth, Southey, Blake —were more or less instinctive romantics, but Coleridge was a reflective one, and he became absorbed as much in the theory of romanticism as in the practice of romantic poetry. In 1798, he quit the society of his wife and child to go to the University of Göttingen to study romanticism at the feet of its leading exponents, and it was there that he really matured as a thinker. He worked out for himself a *Weltanschauung* merging his political ideas and his literary criticism into a coherent philosophy that lay somewhere between Kant and Hegel.

By the age of thirty, Coleridge had put away what he called his "squeaking baby trumpet of sedition" and no longer appeared as a lecturer on Unitarian platforms or as a columnist in the radical press. Instead, he began to produce those writings that established him as a seminal figure in the history of Western culture, helping to propel the spirit of the times from the values of the Enlightenment to those of a new post-revolutionary era.

Wordsworth, who dominated Coleridge in the earliest years of their collaboration and who accompanied him to Germany, could not have achieved what Coleridge did. On their trip, Wordsworth could not even be bothered to learn German. No other poet of the age possessed what Coleridge had: the academic training needed to construct a coherent philosophical system.

The present volume ends with Coleridge, aged thirty-two, setting sail for Malta to assume a wartime post as acting secretary to the governor of that island. The experience was to prove less than wholly satisfactory, and the poet was to experience many more ordeals and emotional crises before he found tranquility and responsibility as a communicant in the Church of England. Readers will await with impatience the appearance of the second volume, in which we may expect Holmes to give the latter half of Coleridge's life the same sympathetic scrutiny he has given to these earlier years. □

CAPTAIN SIR RICHARD FRANCIS BURTON: THE SECRET AGENT WHO MADE THE PILGRIMAGE TO MECCA, DISCOVERED THE *KAMA SUTRA*, AND BROUGHT THE *ARABIAN NIGHTS* TO THE WEST

Edward Rice/Charles Scribner's Sons/483 pp. $35.00

Mark Miller

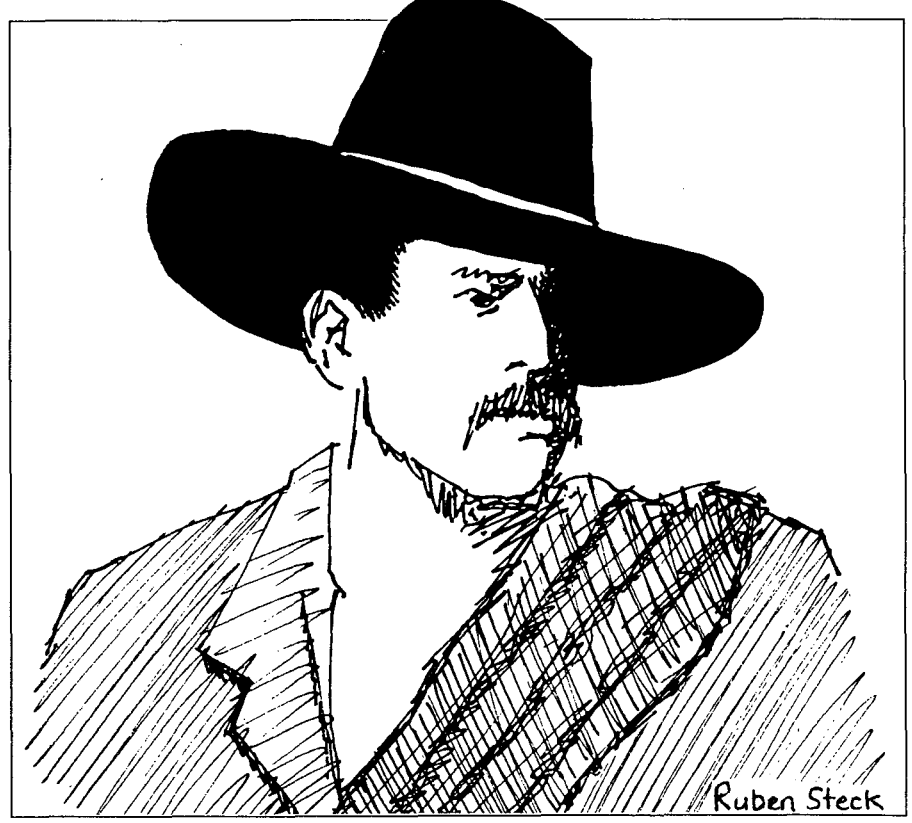
"In the literature of all countries there will be found a certain number of works treating especially of love." So begins Richard Burton's translation of the *Kama Sutra*, a book dedicated to "that small portion of the British public which takes enlightened interest in studying the manners and customs of the olden east." But an interest in the mechanics of sex as practiced by ancient Sufis doesn't account for the revived popularity of this mid-nineteenth-century soldier, scholar, explorer, linguist, author, translator, mystic, and "amateur barbarian."

Hot on the heels of *Mountains of the Moon*, a feature film on Burton's search for the source of the Nile, comes *Captain Sir Richard Francis Burton*, by Edward Rice, biographer of Thomas Merton and Margaret Mead. Published to coincide with the hundredth anniversary of Burton's death, this book marshals an impressive amount of research. How could it not? Burton left a prodigious amount of work to draw from —over forty books in all, including translations, commentaries, swordsmanship manuals, and accounts of his adventures in Asia, Africa, and South America.

Burton's father shunted his wife and three children restlessly around Europe, and he and his brother Edward developed a taste for fighting and whoring and the other joys of rootless young men. Accustomed to the excitements of the continental life and the sinful diversions available there, Burton bucked against Oxford. He made rapid academic progress, though he considered life at the University to be little more than living "among the grocers." It was at Oxford, however, that Burton acquired a passion for mysticism and the occult—studying among other things the early Christian Gnostics, mysterious Sufi brotherhoods, and the Kabbalistic writings of Abraham Abulafia.

Resigned to his son's rejection of the fat life of the clergy—and the fact that Burton was "rusticated" from the university— his father bought him (for £500) a commission in the East India Company. Bombay was Burton's first encounter with the filth, stench, and squalor of the British Empire's exotic reaches—but it was his calling. He threw himself vigorously into the local languages, working first at Hindustani with the help of an old Persian *munshi*, or linguist. He also took advantage of the "horizontal dictionary" rule, the truth that prostitutes could be the most congenial instructors of local custom. Rice makes much of this theme, and of the "brown wives" kept by many of the British officers, and the protocols of such liaisons.

Burton was posted ultimately to Baroda, a tiny cantonment from which soldiers were often sent to watch over the East India Company's opium crop. There seemed to be little here but blazing sun, parched earth, and the smoke of cow-dung fires wafting on the dry air. Miserable as it was, he put his time there to good use. Driven by the search for what he constantly referred to as "Gnosis," he became "as acquainted as an outsider can be with the practice of Hinduism." He learned the yogic technique of breath and circulatory control, and the Tantric practices of meditation, chanting, and ritual sex. "Leaping aeons of caste, metempsychosis, and reincarnation," Burton convinced the Nagar elders to initiate him into the sect of "snake priests" that focused on worship of the cobra. He was entitled to wear the *janeo*, the Brahminical thread which signified its wearers as being of the highest caste—an unheard-of honor for a foreigner. Realizing, however, that (a) the worship of the snake conferred no esoteric knowledge, save for treating bites, and (b) that cobras are not house pets and should not be handled by the rational, Burton left the sect as quickly as he had entered it. Whatever one makes of his religious motives, his ability to be in-



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vited into a very exotic sect shows some nerve.

The events that made up British colonial history passed by those who, like Burton, were eager for the fray but found themselves stuck in an Indian backwater. Yet while his comrades played cards and drank beer to pass the time, Burton practiced swordsmanship, wrote anthropological studies on the people he saw around him, and learned languages. He got another Persian *munshi*, Mirza Muhammad Hosayn this time, to help him pick up where he left off with Parsi in Bombay. Hosayn was not only from Shiraz, a center of Islamic mysticism, but also a member of an obscure heretical Shi'ite sect, the Isma'ilis ("Assassins") whose leader was his older brother, the first Agha Khan. Burton seems to have entered the Isma'ilis whole-heartedly, though he had a military motive as well: to persuade the Agha Khan to return to Persia to take up arms against the ruling Shah.

Due to the nature of his assignment, Burton had ample time to gather information from the royal court and to explore remote regions of India. His substantial Islamic learning—and his Persian—allowed him to pass, as his niece would later write,

> amongst the wild tribes of the hills and plains to collect information. . . . He did not go as British officer or Commissioner, because he would see nothing but what the natives chose him to see: he let down a curtain between himself and Civilization, and [as] a tattered, dirty-looking dervish would wander on foot, lodge in mosques, where he was venerated as a saintly man, mix with the strangest company . . .

He was allowed long stints away from the garrison in order to gather intelligence, and, in doing so, drifted farther from his fellow officers and more into the company of natives. He easily passed himself as a trader, merchant, beggar, dervish, or faqir, but, as Rice asserts, "this was no act for Burton. If he said he was a Muslim, then he was one."

Resourceful he was. As a wanderer or merchant riding a camel, he could measure distances by counting its strides, mapping distances in uncharted lands. The agent in the guise of a religious mendicant carried modified religious instruments—staffs or rosaries—which could be used as makeshift surveying tools in the hands of a skilled man. All of this—the disguises, the languages, the religious initiations—would make the reputation of any man as a top-notch explorer, but for Burton it was merely a training ground for his pilgrimage to Mecca.

Wanting to "prove, by trial that what might be perilous to other travelers was safe [for him]," as well as feeling a sincere Muslim call—he was by this time a Sufi master—Burton arranged leave from his military duties and set out for Mecca, spending time as a merchant in Alexandria and Cairo to polish his alias. During Ramadan, he collected the supplies he would need for the journey, and devised solutions to various tactical problems. For example, how could he take notes when the Bedouin he would be traveling with considered writing the work of spies and sorcerers, both of which were dealt with summarily?

Fearing throughout the journey that his identity would be revealed, Burton was scrupulous about his religious observance. He was relieved when an Afghan accepted him as his countryman, but worried that he would be taken by some to be an Iranian Shi'ite—as much a persona non grata in Arabia then as now.

Burton is perhaps best known for his African safari—a word Burton introduced into English, incidentally—and search for the source of the Nile, during which, among other hardships, he suffered a javelin through the jaw. Upon returning to England, Burton found himself embroiled in a dispute with his companion for the trip, John Speke, over who should receive the glory for the expedition. According to Rice, Burton was without a doubt the leader, able as he was to communicate with the porters in their own tongue, and to take accurate geographical readings. But, as it happened, Speke actually found the source—Lake Victoria—though he didn't have the geographical evidence to prove it. Speke got the glory and, more importantly, the funding from the Royal Geographic Society for subsequent expeditions.

Burton's later life was spent in smallish diplomatic missions and in searching for the fortune that always eluded him. He launched several more expeditions to Africa in search of gold, diamonds, anything. With his health failing, he was put out to pasture at Trieste. Even so, he managed to produce some of his most notable translations during this period, including the *Arabian Nights* and the *Kama Sutra*. After his death, his wife Isabel bowdlerized his diaries and unpublished manuscripts, certainly a great loss to anthropologists of the day, and likely for pornographers as well. In an age such as ours, when ego inflation leads every weekend athlete who can write a legal brief to style himself a Renaissance man, this Burton biography demonstrates what a real man is made of. Edward Rice also shows us what a real biographer is capable of, by not standing in his way. □

CORRESPONDENCE
(continued from page 7)

of dealing with environmental problems, without beginning a new religion based on the Earth Goddess. I am also a writer (I know, everybody considers himself a writer), and I've had several pieces of short fiction published, along with a few opinion pieces in UCLA's *Daily Bruin*, trying to preach non-coercion to the liberal masses. It is somewhat akin to trying to teach a pig to sing. Now that you hopefully consider me a "friendly," on to the problem.

I have been receiving *TAS* for a couple of years, and have overlooked your articles regarding smoking, since to be candid, I've always assumed that you are simply trying to rationalize away your own inner dislike of your own somewhat revolting habit. However, in the most recent issue, you repeat or recycle a piece about Environmental Tobacco Smoke (ETS). Before getting into details, let me say that I am not a prohibitionist. If you wish to smoke, by all means, smoke! For that matter, if you want to subsequently amputate your own limbs, go ahead, I won't stop you. But, enough chitchat, let's get down to brass tacks. The things you said in this article were simply wrong.

You obviously do not have a grasp of the science behind ETS research, and using an EPA document (notoriously obsolete upon publication), you nimbly leap to the wrong conclusions. I wish to point out that as a journalist you have some obligation to attempt to avoid misleading people, which is pretty much what your article does.

My first complaint is with your statement that "there is no consensus" in the scientific community about the deleterious nature of ETS. First, as a scientist, I think I can assure you that with the exception of some tobacco company stooges, and some scientists who smoke and use amazingly poor methodology, very few scientists dispute the idea that ETS is hazardous to non-smokers. It is a very straightforward issue, really. Measurements of emissions from cigarette smokers show high levels of *known* toxic compounds in the local atmosphere. Epidemiological studies of wives and children of smokers show elevated risk of disease and mortality. It is well established that exposure to the measured concentrations of toxins is hazardous, and *does* impose a risk of cancer to *anyone*.

You seem to make one crucial error in your thinking. You state that since some of the studies you have seen have negative findings, it somehow nullifies the ones with positive findings. This is akin to the following argument: ten people happen across a duck in the road. Four of them look at the whole bird, see that it looks like a duck, walks like a duck, quacks like a duck, and they finally say that it is most probably a duck. Four of them look only at the feathers, and proclaim it to be a pigeon, and two of them look only at the bill and declare it to be a platypus. Does this mean you cannot declare it to be a duck? . . .

Now my final argument is from the idea of natural rights. You would agree with me that I could not legitimately walk up to you and hit you, nor could I walk up to you and toss acid at you. In fact, you would probably not grant me the right to light foul smelling incense at the adjacent table to you at a restaurant. It would not matter to you if I happened to like the smell, or like being hit, or like the feel of acid on my own flesh. *You* would feel that *you* have the right to determine what *you* are exposed to in the way of physical agents. Just as you would not let *my* opinion of what was hazardous override your own judgment, you cannot morally assert that you have the right to override another person's judgment about what is a hazard, regardless of the evidence. So, Mr. Tyrrell, I ask you, one who bemoans governmental coercion, and individual coercion, and special interest group coercion, to stop being a hypocrite and reserving the right of air pollution coercion unto yourself. All that most reasonable non-smokers ask is that you not engage in your habit in public.

—Ken Green
Los Angeles, California

Auberon Society

Auberon Waugh the juiciest Brit target you can find? ("An Anti-American Poseur," by R. Emmett Tyrrell, Jr., *TAS*, June 1990.) A rainy day column? A hair across it? How the hell did you dig up the quote from Waugh *père*? (More than two decades old?)

Week in, week out—year in, year out—I find Auberon Waugh a perceptive political and social critic. Fits in nicely with Bernard & Taki as a winning trifecta in the elder *Spectator*.

You are forgiven this one nod.

—Francis Gannon
Milton, Massachusetts

Teddy Tease

Your issue of June 1990, page 20, carried the headline "Teddy Kennedy on Death Row"—immediate euphoria! Justice done at last! Rest in peace (finally) little Mary Jo . . .

Then disillusionment. Just another shady maneuver by Senator Potato Head. Was it your intention to raise our hopes and then dash them?

—David MacCulloch
Milicani, Hawaii

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LAND OF MY FATHER

by Rick Marin

It was during a commercial for whole-wheat bread that I saw a woman's breasts floating languidly across a TV screen in the New Spain. First came the breasts, then the bread. *¡Ole!* Clearly this was a country where priorities had changed.

Not only is General Francisco Franco still dead, as Chevy Chase used to crack on "Saturday Night Live," he must be doing a bolero in his grave. A socialist government has created a booming free-market economy. Euro-assimilation looms in 1992. And the nation's most famous artist is a flamboyantly homosexual director of dirty movies.

By embarrassing coincidence, Pedro Almodovar—*auteur* of the X-rated *Tie Me Up! Tie Me Down!*—was born in the same village in La Mancha where much of my father's family comes from. (My father left the country after fighting on the losing side of the Civil War.) The village, called Calzada de Calatrava, is where I was introduced to that admirable Spanish tradition, the casino. In Spain, almost every city, town, and hamlet has its casino —a club where men gather to gossip, read, talk business, and, if so inclined, gamble. Women are not permitted.

It was at the end of a cold April day when my father and I entered Calzada's casino in search of his cousin Pepe. Pepe, rotund and vigorous in his mid-seventies, owns a large house across the street, but spends all his waking hours at the casino, in the same chair by the same window. The late-afternoon sun streamed through the tall windows, and the green walls were barely visible through the Marlboro fog of cigarette smoke rising from the round leather-topped tables crowded with men of Pepe and my father's generation. There was no smoking section. The whole place was a smoking section.

Pepe was there, as always. He immediately launched into a grand tour of the establishment for my benefit.

There was a TV room, with neatly rowed empty chairs in front of the television's high altar, and a reading room where a few old men in black berets sat in monastic quiet poring over newspapers and magazines lined up on both sides of a long, double-slanted reading table. From here we entered the ballroom, high-ceilinged and with a musicians' box built into one wall for those special occasions when women are allowed inside. We passed through the door marked "Caballeros," and ascended the black stairwell leading to the gaming room, where an "illegal" baccarat table lay under heavy plastic. Behind a curtain was another little dance floor, for the high rollers and their women. On the way down, we were taken into the ladies' room (this being the grand tour) and invited to marvel at its opulence: the toilets all had seats and there was a gray layer of indoor-outdoor carpeting covering the floor. Emphatic and deeply serious about the casino's many luxuries, Pepe was letting us in on his share of the good life.

I nodded in manly assent.

The big house in Calzada where my grandmother lived has been torn down, the lot carved up into apartments. But the street named after my great-great uncle is still there. And much of the village, with its seventeenth-century stonework and lack of civilized amenities (little things like heat), remains distinctly anti-modern. There was never indoor plumbing at my grandmother's house, though hers was a wealthy family. Hot water above the first floor is still a rarity. The Western cult of progress never infected Spain, as anyone who has ever tried to use a public telephone here knows. Spaniards shrug. They've seen worse.

The Church now wags a powerless finger at the brazenly naked *chicas* pouting from newsstand displays and postcard stands. In this respect Spain has become much like the rest of Catholic Western Europe: topless beaches, legal abortion, Mass on Sunday. On a cold, rainy day in Madrid during Lent, I did see a small, working-class woman walking barefoot, and not because she couldn't afford shoes. But that was the most manifest act of piety I saw, even during the Holy Week processions. Would-be penitents in these ancient Easter parades wore sneakers under their medieval robes and dragged lightweight crosses on their shoulders. Anyone who has never witnessed this annual spectacle should, if only for the sight of hundreds of men, women, and children dressed exactly like the Ku Klux Klan marching through cheering crowds.

Seville, site of the most famous processions, still attracts its share of self-flagellation and ecstatic crown-of-thorns wearers. But we weren't in Seville. Where we were (Merida, in the western province of Extremadura) the nightly processions were pure carnival. Little kids frolicked past their bedtime. Slick teenagers flirted urgently. Parents drank beer and coffee in ringside cafes. Nothing to distinguish this from, say, a Macy's parade, except that there were no product tie-ins involving Kermit the Frog or the Smurfs. The icons being carried (on foot) through the streets were religious relics and statues of Jesus or the Virgin Mary. In America someone would have figured a way to squeeze a McDonald's float onto the program.

When my father visited Spain in the 1960s, he went to the village of Fuentevaqueros, outside Granada, and asked to be shown the house where Federico Garcia Lorca—the poet and playwright murdered by Falangists during the Civil War—was born. The locals eyed him suspiciously and said nothing. Today, there's a memorial fountain in the main square worthy of a patron saint. Lorca's birthplace is now a martyr's shrine and he has become Spain's most famous literary figure after Cervantes.

My father knew Lorca. As a student he had performed in Lorca's traveling theater group, *La Barraca*. We went together—my parents, my wife, and I —to the house/museum in Fuentevaqueros. In one of the glass cases displaying relics from the Barraca period was a program cover with the cast of Lorca's production of Calderon's *La vida es sueño*. Lorca, in black, played Death. My father, under a long Jehovan prop beard, was God. Later, during a brief film clip shown on videotape, I could just make him out among the overalled youths speeding across the screen at the comically accelerated pace of an old silent movie, which this was. The curator introduced him to the small crowd of elderly Spanish tourists who had made the pilgrimage that day. Old enough to have lived through the war, they were modestly dressed and did not look like lovers of literature. But they nodded and mumbled respectfully when he was introduced. Afterwards a few old women approached him with questions.

The curator—a paunchy, fanatical man with a gray beard and breath like a sausage factory—ushered us into the patio, then fetched the VIP register. My mother, like me a Canadian, demonstrated our national talent for picking other Canadians out of a crowd: she spotted poet-folkie Leonard Cohen's name in the book. My wife noticed that Salman Rushdie had written something pompous prior to his exile. At the bearded curator's behest, my father wrote a characteristically brief line above his signature. A little while later we left, walking in the hot morning sun to the bus that would take us back to Granada.

Crossing the country by train—past the white-walled cemeteries, the bent old women in black, the acre upon acre of olive and orange groves—I could imagine this as the Spain my father left fifty years ago. Not in the big cities.

In hypermod Madrid, bars and clubs attract the same gravity-defying haircuts and black-on-black poseurs as any downtown batcave in New York or Berlin. Seville is expecting 18 million visitors at the World's Fair in 1992, a frightening thought to anyone who's spent time in that den of thieves and miscreants. Barcelona during the Olympics is another place to plan not to be in '92. Madrid has been declared "cultural capital" of Europe (whatever that means) for the same year, the *annus mirabilis* of Eurofication. Progress is inevitable in Spain, but not necessarily desirable. One night when there was nothing much else to do, we watched "thirtysomething," dubbed for Spanish TV. It still doesn't translate. But how much longer before it does? And women demand entry to the casino? □

Rick Marin is television critic for the Washington Times.

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• Settanni has been published in: *Modern Age*, *The University Bookman*, *New Oxford Review*, *Chronicles of Culture*, *Faith & Reason*, *The Chesterton Review*, and elsewhere. 372 pages (8½ x 11 format). Caution: Requires a reader with an above average intelligence. Make check or money order for $25 (includes postage and handling) payable to: **Joseph Settanni.** Mail to: **P.O. Box 6068, Yorkville Station, New York, NY 10128-0001.**

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CURRENT WISDOM

Guardian

In the inimitable *Guardian*, Britain's chief processor of Fabian flapdoodle, a Comrade Lawrence Sutton blows the whistle on the conspirators in Peking's pro-democracy putsch for the edification of his fellow clock-stoppers:

The most prominent student leaders—Chai Ling and Wu'er Kaixi—are now based in Paris and have dropped all pretense of reforming Chinese Communism. Their "Goddess of democracy" flagship is now a front for the god of capitalist consumerism. In a 1981 visit to China, I saw many examples of kindness and comradeship under Communism. In 1988 I saw changes for the worse, as the profit motive had been encouraged in the intervening years.

[May 14, 1990]

Minneapolis Star Tribune

Al Sandvik of Edina, lost in the literary raptures:

My wife Lois and I came only within 4,000 or 5,000 feet of Mikhail and Raisa Gorbachev. We wouldn't have it any other way.

We watched these two on television, each enthralling their own audiences and then rejoining at the airport. As they persisted in waving through the porthole windows of the airplane, only large enough for Raisa's two flattened hands, the television announcer said that because their plane was not equipped for aircraft noise reduction, the people of South Minneapolis would surely hear it fly over.

We watched their plane lift and rise on the television screen and, an instant after the engine roar subsided there, outside our den window we heard a far off hum fattening into vibrations. We hurried out into the backyard in time to see the plane fly overhead, nosing into the first sunshine of an otherwise glum Minnesota day.

I wouldn't have been surprised to see their wings waggle at us, so gracious were these two. The sky swallowed up the noise and the sight of them, the first couple of a nation that, in another time, with another leadership, had threatened to annihilate us.

For a while, standing there in the grass, wet from the previous night's storm, we couldn't talk.

[June 10, 1990]

Hollywood Reporter

Another tear-stained remembrance of the American Richard II by another of our country's gifted poetizers:

Watching and listening to Nixon as he shifts and blurts out his take on things, one is again struck by the perverse singular status this banished shadow king enjoys, this reigning embodiment of forbidding times, when the streets were blank and dark with tears and hope burned with a gangrenous iridescence.

[May 3, 1990]

Washington Post

Here we are ninety-one months into the longest economic growth period in postwar history and this is how Walter Mondale responds to George Bush's suggestion of a tax increase. No blood-alcohol test was administered at the time of this dithyramb:

What I hope is that we'll all learn something. This is probably the most basic, deliberate, horrible economic mistake in American history and it was all driven by a disingenuous political strategy that has cost our nation terribly. Let's hope we learn our lesson and start to talk honestly and openly in these campaigns.

[June 28, 1990]

Yale Daily News

What passes for a Saturday night drunk at Yale University, one of the finest institutions of higher learning:

The racism which pervades American society may stem from white people's subconscious fear of genetic annihilation through mixing with other races, a Washington psychiatrist said Saturday.

In a speech to 150 people at the Yale University Art Gallery, Frances Cress Welsing said that since whites comprise only ten percent of the world's population and the ability to produce pigment is a dominant trait, the mixing of races would result in the eventual genetic eradication of white traits. . . . "Why are blacks killing blacks? How can we stop this violence in our communities?" one man asked. Welsing responded that a white supremacist society teaches blacks to hate themselves. "If I teach you to hate yourself, you will destroy your image," she said.

[January 22, 1990]

New Yorker

Authoritative conclusions on the origins and comparative morality of the Vietnam unpleasantness as conveyed in a pithy review of the idiot's essay into Gibbon's art:

Flashbacks: On Returning to Vietnam, by Morley Safer (Random House, $18.95). The well-known television journalist revisits the scene of the war he once covered, and his short book, composed of brief chapters, vividly portrays both people and places. Reporting on the war decades ago, Mr. Safer disliked and distrusted our leadership; now he learns that the Vietnamese commanders were at least as ruthless, and that many Vietnamese, who thought they were fighting for independence, not Communism, are disillusioned with the fruits of victory. Given the evidence of the regimes' failure, Mr. Safer tentatively and unhappily concludes that the war was a tragic waste, but he is uncertain who is to blame.

[May 28, 1990]

New York Times Book Review

Human rights violations against the English language, as committed by a Mr. Arthur C. Danto whilst arguing the case for Cro-Magnon man, whose eloquence the moron seems to be emulating:

The fictiveness of the concept can be deduced from the very meaning of the term, which connotes simplicity, basicness, the zero-degree of cultivation, mankind in its so-called natural state. In truth, there are no primitive cultures: just as everything can be expressed in every natural language, all the fundamental relationships of life are accommodated and given meaning in every actual culture—so all cultures are equivalently complex. Hence primitivity is an interpretation imposed upon cultures, and by means of which we immediately place ourselves in a special relationship with their members, wholly different from that in which we stand to other cultures not so characterized. Western perceptions, Ms. Torgovnick writes in her discussion of Freud, "assume that the primitive is prior to the civilized and can be subordinated by it." But that means that the primitive is not Other at all: in encountering it, we encounter ourselves, as we must have been or could or should have been had it not been for the benefits or discontents of civilization.

[June 22, 1990]

Minneapolis Star Tribune

Painfully cerebral historical reflections from a Francis Froelich, alas, one more victim of the American education system:

Eric Black suggested in his June 3 article that Mikhail Gorbachev might one day be looked upon as the Soviet Union's Abraham Lincoln—the man who "saved the union." Those who have studied history know that the comparison is hardly apt.

Gorbachev has dedicated his life to creating equality of opportunity among the diverse peoples and ethnic groups that comprise the Soviet Union. In fact, his reasons for resisting Baltic secession efforts have been directed towards this end. Gorbachev desires to preserve a fair, multicultural, egalitarian society; Baltic secessionists want to create a society based on blind nationalism and marked by all of the inequalities that a market economy will allow.

Lincoln, on the other hand, was hardly concerned with fairness and equal opportunity for peoples of color. In his own words: "I am not, or ever have been in favor of bringing about in any way social and political equality of the white and black races." (Lincoln-Douglas debates, Charleston, Ill., Sept. 18, 1858). Indeed, Lincoln's vision of a post-Civil War United States was one in which a white male Anglo-Saxon Protestant clique would brutally enforce the dictates of Northern corporate elitists.

[June 10, 1990]

Nation

Introducing a must-read essay, "The American Neo-Nazi Movement Today," an editorialist at our favorite insane asylum makes some perfectly sensible points about the neighborhood Nazi and his Republican fellow traveler:

On the surface Ellinor Langer's essay in this special issue of *The Nation*, "The American Neo-Nazi Movement Today," concerns a narrow spectrum of the ultra-right . . .

But it is impossible to read Langer's account of anti-Semitism and racism at the fringes without the ominous sense that it also contains a message about our culture at its core, a distant early warning of the perils that racial thinking and ethnic conflict hold for the future. There is, one might claim, a direct line between the burgeoning neo-Nazi *Zeitgeist*, symbolized by the Republican candidacies of David Duke, the former Klan Imperial Wizard in Louisiana, and Ralph Forbes, formerly of the American Nazi Party in Arkansas, and the Reagan-Bush legacy with its Southern strategy of pitting whites against black "special interests."

[July 16/23, 1990]

New York Times

Mr. Stephen D. Dnistrian an "assistant director of public affairs at Phoenix House, a drug-rehabilitation center" and Maureen Muenster, a "freelance researcher" are elevated to transient greatness by the op-ed editor of the venerated *Times* for saluting the King George III of the Garden State:

Robin Hood is alive and well, and working out of the State House in Trenton, New Jersey. . . . Governor Jim Florio works fast. Since he was sworn in just six months ago, he has shocked both friend and foe with several stunning moves . . .

We didn't vote for this man, nor for his opponent. Mr. Florio and Representative James Courter ran mud-slinging campaigns that brought the gubernatorial race to an all-time low. Besides, there was something we didn't like about Mr. Florio. He came across as the kind of old-fashioned, deal-making politician who ran the machines and local governments in the New Jersey towns and counties where we were born and raised. He didn't seem like the kind of progressive, honest politician our generation admires (we're both in our 20's).

And now look what he's done: raised taxes by $2.8 billion, the largest increase in state history.

Hey, Governor, read our lips: Thanks for the courage. Thanks for taking the risk. And, most of all, thanks for the leadership. Having grown up in the era of sound-bite politics, à la Ronald Reagan, we can't believe what we're seeing.

[July 11, 1990]

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